

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 588 OF 2016**

Bhuvneshwar Koshale S/o Shivdas Koshale aged about 22 years R/o village Chorha Nawagaon Police Station Simga Civil and Revenue District Baloda Bazar Bhatapara (CG)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer Police of Police Station Simnga District Baloda Bazar Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. Sanjay Patel, Advocate
For-Non-applicant	:	Mr. Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/02/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 149/2015, registered at Police Station Simga District Baloda Bazar Bhatapara (C.G.), for

the offence punishable under Sections 395, 397 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, on 02/05/2015 applicant along with other co-accused looted Rs.1,75,000/- from Petrol Pump, Simga at about 1.00 A.M. and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in crime in question. He would further submit that no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 27/05/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into

consideration the nature and gravity of offence and the manner in which dacoity is said to have been committed by the applicant and other co-accused, I am not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge