

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2323 of 2016

- Yashwant @ Lachhi Lohar S/O Shri Dashrath Lohar Aged About 27 Years R/O Sakri, Thana Chakarbhata, Civil And Rev. District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chakarbhata, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Mr. Malay Shrivastava, Advocate

For Respondent/State : Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 8-9-2015 in connection with Crime No. 290 of 2015 registered at Police Station Chakarbhata, District Bilaspur (CG) for the offence punishable under Sections 365, 394 read with Section 34 and Section 294 and 506 of the IPC.
2. As per the prosecution case, on 8-9-2015 when the complainant Durgesh Vaishnav was going in the highway by his motor-cycle, present applicant along with other co-accused persons stopped him and after assaulting him has robbed his motor-cycle and Rs.900/- and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that charge-sheet has been filed in this case, the applicant is in jail since 8-9-2015 and no further investigation is necessary, therefore, he may be released on bail.
4. Per contra, learned State counsel opposing the bail application would submit that there is sufficient evidence on record to connect the applicant with the crime in question and on the memorandum

of the applicant, motor-cycle has been recovered at his instance .
He would further submit that in addition to the present case, as
many as 9 criminal cases are registered against the applicant,
therefore, he is not entitled to be released on bail.

5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Taking into consideration the degree of offence and nature of allegations leveled against the applicant and further considering the fact that the applicant has criminal antecedents, I am not inclined to grant bail to applicant.
7. Accordingly, the bail application of applicant is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju