

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 475 of 2016

1. Arshad @ Ashad, S/o. Faij Ahmad, aged about 23 years, R/o. Qtr. No.13 & 14, Block No.106, Street No.07, Hospital Sector, Bhilai Nagar, Police Station Sector-06, Kotwali, Bhilai Nagar, Tahsil and District-Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, through District Magistrate, Durg, District-Durg (C.G.).

---- Respondent

For Applicant	: Mr. H.B. Agrawal, Sr. Advocate with Ms. Nand Kumari Kashyap, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/06/2016

1. Apprehending arrest in connection with Crime No.557/2015 registered at Police Station- Supela, District – Durg (C.G.), for offence punishable under Section 394, 397, 324 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, on 08.08.2015, the complainant Shashank Verma was standing near the Mall at that time the applicant asked him to bring the cigarette when the complainant refused, the applicant called the other accused persons and thereafter, the complainant was assaulted by fist and above the eye, some injury was caused by some sharp object and also Rs.1,500/0 was looted.
3. Learned counsel for the applicant would submit that, the applicant has been falsely implicated in this case and the complainant also wanted to

get his name deleted from the charge-sheet, however, the charge-sheet having been filed, the same could not be done. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Having perused the fact and nature of allegation, the parity of bail of other co-accused Anil Singh and other can not be applied in this case as those bail petitioners were considered after arrest of other accused and the applicant appears to be still absconding. Taking into the entire case diary, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge