

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5790 of 2016

Surendra Sahu, S/o. Shri Mahendra Kumar Sahu, Aged About 23 Years,
R/o. Village Akolikala Near Angan Badi, Police Station Arang, District
Raipur, Chhattisgarh.

Present Address : Telibandha, Near Puraina Talab, Police Station
Telibandha, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- D.D.
Nagar, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. L.C.Dash, Advocate

For Respondent : Ms. Shobha Kashyap, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.09.2016

1. This is the 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 in connection with Crime No.195/2016 registered at Police Station- D.D. Nagar Raipur, District Raipur (C.G.) for the offence punishable under Section 457, 419, 420, 392 of Indian Penal Code.
2. As per the prosecution case, the applicant along-with other co-accused on 02.08.2016 went to the house of the complainant Smt. Ramli Bai Netam and stated that they are from the Crime Branch and wanted to raid the house at about 12 O'clock in the night. Despite refusal they forcefully entered into the house and open the suit case and took away the gold & silver ornaments & cash and also threatened that in case the report is made, she would suffer the dire consequences. Subsequently, the report was made on 11.08.2016.

3. Learned counsel for the applicant would submit that there is no explanation to the delay in FIR and further would submit that the applicant has been falsely implicated as some monetary transaction was in between the parties, therefore, false allegations have been made and as such the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The applicant was identified by the complainant. Considering the statement and the fact that the applicant was identified, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge