

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2364 of 2016

1. Samrat Yadav @ Krishnavtar, S/o. Ramlal Yadav, aged about 25 years, R/o. Mahamaya ITI, Ashok Nagar, Sarkanda, Police Station – Sarkanda, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station : Sarkanda, District – Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. V.R. Tiwari, Advocate

For Respondent/State : Mr. Gary Mukhopadhyay, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/04/2016

1. This is the second 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.383/2015, registered at Police Station – Sarkanda, District – Bilaspur (C.G.) for the offence punishable under Section 384, 394 of Indian Penal Code and 25 of Arms Act. The first bail application was dismissed on merits on 25.01.2016 in M.Cr.C.No.106/2016.
2. Case of the prosecution, in brief, is that on 20.08.2015, at about 5.00 pm, the applicant alongwith other co-accused came to the shop of complainant, Vijendra Sahu situated at DLS College and demanded money. On denial of their demand, the complainant was assaulted and from his pocket, the accused have looted Rs.1200/-. Thereafter on report of complainant, the case was registered and *Gupti* has been seized from the house of the applicant.

3. Learned counsel for the applicant would submit that earlier bail application was dismissed because of the fact that two cases were pending, however, he has been enlarged on bail in these cases. He would further submit that most of the witnesses have been examined, therefore, he prays that the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the witnesses. Considering the statement made and the fact that only the investigating officer and police officers are left to be examined, I am not inclined to release the applicant on bail at this stage. However, the trial Court is requested to expedite the trial.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram