

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 488 of 2016**

Golden Kumar Singh S/o Suresh Singh Aged About 22 Years
Occupation Student, R/o Village Karkatpur, P.S. Akothigola, Tahsil
Akothigola, (Wrongly Mentioned Ayothigola) Distt. Rohtash (Bihar).

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. - Dharamjaigarh, Distt.
Raigarh Chhattisgarh.

---- Respondent

For applicant – Shri Amit Sharma, Advocate.

For Respondent/State – Shri Sumit Jhanwar, PL for the State.

Hon'ble Shri Justice Goutam Bhaduri**Order****23/06/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 263/2015 registered at Police Station Dharamjaigarh, Distt. Raigarh (C.G.) for offence punishable under Section 393 of IPC.
2. As per the prosecution case in the month of September, 2015 Bolero vehicle was hired by three persons. They were going from Raigarh to Pathalgaon. When they reached near Sisaringa Ghat at that time the driver/complainant was over powered and they gagged mouth of the driver and when driver raised alarm three persons left the complainant Anuj Kumar and fled away into the jungle. Subsequently, two of the persons were apprehended and name of the present applicant was disclosed as Golden Singh.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Complainant has filed the affidavit that he knew the applicant and he was not involved in the commission of crime. Photo copy of the affidavit is filed as Annexue A-2. Therefore,

learned counsel submits that the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory bail.

5. I have perused the statement of the complainant Anuj Kumar which was recorded initially after the incident and subsequent on 29/12/2015 wherein name of the applicant has been shown. Taking into such statement wherein earlier name of Golden Singh present applicant it is not stated that he knew him. Subsequent, affidavit appears to be after thought and the applicant is absconding, charge sheet has been filed. Taking into facts and circumstances and the evidence which is available on record, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE