

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 26 of 2016

Shriram Baghel, S/o. Manaturam Baghel, Aged About 20 Years, R/o. Narharpara, P.S. Kondagaon, Revenue & Civil District Kondagaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Kondagaon, District Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/01/2016

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.290/2015 registered at Police Station- Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 392/34 of IPC.
2. Case of the prosecution, in brief, is that on 11.11.2015 when Sigram and Ranu who were going towards the village they were intercepted by the applicant and other co-accused initially and asked where they were going and subsequently after some time they again went to them while they were going to village and looted to Rs.50,000/- from Sigram and Rs.5000/- from Ranu. The victim went to the village and thereafter reported the matter to the Sarpanch and after identifying the applicant, lodged the report.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, as the incident occurred on 11.11.2015 and the FIR was made on 17.11.2015. He further

submits that as per the prosecution, on the date of incident, the applicant and other co-accused were identified but no report was made, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the statement of the victim and the way the loot has been committed and further considering the fact that there is a direct allegation against the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge