

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 35 of 2016**

- Nilottam Singh, aged about 23 years, S/o Late Shri Virendra Singhr, R/o Village Goda, P.S. Pratappur, Civil & Revenue District Surajpur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through its Police Station Incharge Pratappur, District Surajpur (C.G.)

----Non-applicant

For Applicant:	Mr. Suresh Kumar Pandey, Advocate.
For Respondent/State:	Mr. Dhiraj Kumar Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/02/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 285/2015 registered at Police Station Pratappur, District Surajpur (C.G.) for the offences punishable under Sections 392 & 394/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant & two other co-accused persons robbed complainant Vimlesh Kumar Yadav and looted Rs. 2,800/- from him and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence and there is no seizure from the present applicant. He further submits that applicant is in jail since 11.12.2015; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that bail application of the similarly situated co-accused – Suresh has been rejected and there is recovery of Rs. 2,000/- from the applicant and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which applicant & other co-accused persons are said to have looted complainant Vimlesh Kumar Yadav in the night, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-