

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3485 of 2016

1. Karan Rao, S/o. Late Ramesh Rao, aged about 20 years, R/o. Shitla Mandir Camp -2 Bhilai, Police Station – Chhawani, Bhilai, Tehsil and District-Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the S.H.O., Police Station : G.R.P., Bhilai-3 (District-Durg not given in impugned order) (C.G.)

---- Respondent

For Applicant	: Mr. Goutam Khetrapal, Advocate
For Respondent/State	: Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/07/2016

1. This is the first 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.159/2015, registered at Police Station – G.R.P. - Bhilai (wrongly mentioned GRP Bhilai-3 in impugned order), District- Durg (C.G.) for the offence punishable under Section 394 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 12.12.2015, the complainant, Manoj when alighted at the Power House Railway Station from train at that time, the applicant along with other co-accused assaulted the complainant and looted ATM, AADHAR Card and mobile and on the report, the applicant was arrested and he

was identified.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he has not committed any offence. He further submits that charge-sheet in this case has been filed and the applicant is in jail since 17.01.2006, therefore, the counsel 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 case diary and the documents. Considering the fact that the applicant has been identified and the way the offence has been committed and the person who alighted from the train was looted, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge