

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 106 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. Atanu Ghosh, Advocate
For Respondent/State	: Mr. Ashutosh Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/01/2016

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.383/2015, registered at Police Station – Sarkanda, District – Bilaspur (C.G.) for the offence punishable under Section 384, 394 of Indian Penal Code and Section 25 of Arms Act.
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 the applicant has been falsely implicated in this case. He would further submit that from

this applicant only Rs.1200/- was seized and the other co-accused has been granted bail by this Court in M.Cr.C.No.6556/2015 vide order dated 07.12.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that apart from this, two other cases are registered under Crime No.74/15 and under Crime No.205/2015 and the applicant has past antecedents, therefore, he may not be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into the facts that two criminal cases are already pending against this applicant, this Court is 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