

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4734 of 2016

1. Satpal, S/o. Kashmira Singh, aged about 33 years, R/o. Zone-02, Near Telgu School, Khurshipar, Bhilai, Tahsil and District – Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Out Post Smriti Nagar, District – Durg (C.G.)

---- Respondent

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

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/09/2016

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.1669/2005, registered at Police Station – Khursipar, Bhilai, District – Durg (C.G.) for the offence punishable under Section 34 (A) of Excise Act and Section 25, 27 of Arms Act and Section 294, 506-B, 427, 34 of Indian Penal Code.
2. As per prosecution case, a report was made by Santosh Prajapati that on 22.12.2005, the applicant came along with other co-accused in Tata India Car M.P.-35-C-0144 and thereafter, took out the sword and abused the complainant and challenge him to come out, thereafter, damage the Tata India car, which was of his brother and

broke the entire glass, subsequently, the car was intercepted and from the car 25.920 liter liquor and arms were recovered. Charge-sheet was filed against the other co-accused and the present applicant was absconding and he was arrested subsequently on 05.07.2016.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that the applicant went to Punjab to take care of his old parents and no further investigation would be necessary, therefore, counsel prays that the applicant may be enlarged 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. Considering the fact that the applicant was absconding from 10-12 years, I am not inclined to release the applicant on bail. However, as prayed, liberty is given to repeat the bail application, after examination of the complainant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge