

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 871 of 2016

- Mohd. Alfaat S/o Abdul Kuddus Aged About 35 Years R/o Village Lahsai, Ward No. 14, Post Kotma, Police Station Kotma, Tehsil Anuppur, Revenue & Civil District Anuppur, Madhya Pradesh. ---
Petitioner

Versus

- State of Chhattisgarh through Station House Officer, Pendra, Revenue & Civil District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant : Mr. Sarfaraj Khan, Advocate.
For the State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.09.2016

1. Apprehending arrest in connection with Crime No. 89 of 2013 registered at Police Station Pendra District Bilaspur (C.G) for the offences punishable u/ss 395/34 of IPC and Sections 25 & 27 of the Arms Act, the applicant has filed this bail application u/s 438 of Cr.P.C.
2. As per the prosecution case, on 26.3.2013 while the complainant Brijmohan Gond alongwith pillion rider was going to Gaurella Railway Station on motorcycle, at that time, the applicant along-with co-accused near Sonachal Dhabha, has assaulted them and looted cash and thereafter left them at a place near Juda Talab, thereby the offence was committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no allegations can be attributed against him and only on presumption, he has been inculpated.
4. Per contra, learned State Counsel opposes the prayer.

5. Perused the case diary and the statements of witnesses.

The applicant has shown to be absconding since 08.07.2013.

6. considering the fact that the applicant has been shown to be absconding since 08.07.2013, I am not inclined to release him on bail. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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