

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5100 of 2016

1. Bhupesh Sahu @ Bilash Sahu, S/o. Kailash Sahu, aged about 20 years, R/o. Near Bhagwandas Kirana Store, Main Road, Urla, Police Station : Urla, Raipur, Tahsil : Raipur, District – Raipur (C.G.).

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station, Urla, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Umesh Pandey, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/09/2016

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.127/2016, registered at Police Station – Urla, District – Raipur (C.G.) for the offence punishable under Section 394 of Indian Penal Code.
2. As per prosecution case, a report was made by Ajit Kumar Singh alleging that on 03.06.2016 while he was taking rest in his trailer vehicle at that time one co-accused came and tried to take away chain and rod of the trailer, he was caught hold of thereafter four of the other co-accused came and assaulted and take away the mobile and purse of the complainant. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the incident happened on 03.06.2016 and the report was made on 04.06.2016 and three poles were recovered, therefore, 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. Perused the case diary and statement as also the identification parade, the applicant was identified. Considering the fact, 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