

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5093 of 2016

1. Ramkumar, S/o. Late Shri Kanhaiya Lal Yadav, aged about 47 years, R/o. Near Baramdev Mandir, Bhathagaon, Police Station Purani Basti, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station Gurur, District – Balod (C.G.).

---- Respondent

For Applicant	: Mr. Shivendra Bhardwaj, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

31/08/2016

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.390/2016, registered at Police Station – Gurur, District- Balod (C.G.) for the offence punishable under Section 341, 170, 467, 468, 471, 472, 419, 420, R/w. 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused namely Ganesh and Ramdev personified themselves to be the RTO officer and went to NH No.30 and stopped the various vehicle and recovered Rs.100/- for not fixing the radium plate on the vehicle and the report was made by one Mohan Sahu. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the other co-accused Ganesh and Ramdev have actually committed the crime and this applicant is the only driver of the vehicle, which was taken on rent by the other co-accused, therefore, the applicant is completely innocent and he has not committed any crime as such he 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, document and the statement of the witnesses. Considering the fact, the nature of allegation leveled against the applicant and the fact that the applicant along with other co-accused made recovery pretended themselves to be RTO officer and further considering the facts and circumstances of the case and the way the offence has been committed, 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