

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7580 of 2016

- Rajesh Yadav S/o Khorbahra Yadav Aged About 35 Years R/o Ganesh Nagar, Chuchuhiyapara, Police Station Sirgitti, Tah. & District - Bilaspur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through - S. H. O. Torwa, District - Bilaspur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Ravindra Sharma, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 180/2016 registered at P.S. Torwa, Bilaspur, Distt. Bilaspur Distt. (C.G) for the offence punishable under Section 394/34 of IPC.
2. As per the prosecution case, on 21.6.2016 the complainant Triyogi Narayan Patel was going to his house after alighting from train. On the way at about 3.35 p.m., the applicants chased and assaulted him and looted Rs.300/-; ATM Card and a mobile with other documents from him and thereafter they fled away. On report being made, the applicants were arrested alongwith other co-accused, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no evidence is available against him to connect him with the crime. He further submits that the charge sheet has been filed and the

applicant is in jail since 23.06.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that the applicant and other accused have been identified.
5. Considering the fact that the applicants have been identified and the nature of allegations levelled against him, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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