

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5558 of 2017

Nitin Sinha S/o Shri Nakul Prasad Sinha, Aged About 26 Years R/o Shrishti Colony, Korin Bhata, Police Station Basantnagar, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Police Station Lalbagh, District Rajnandgaon, Chhattisgarh.

---- Respondent

Shri Ishan Verma, counsel for the applicant/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/11/2017

Heard.

The applicant has been arrested in connection with Crime No.269/2017 registered at Police Station – Lalbagh, District – Rajnandgaon (CG) for alleged commission of offences under Section 394, 34 of IPC.

2. Case of the prosecution is that the applicants committed Highway robbery armed with weapon and assaulted the victim and looted Rs.5,000/- and mobile.

3. Learned counsel for the applicant would submit that he has been falsely implicated. There was a dispute with the Driver of the truck and the truck driver, in order to save himself, made false allegations against the applicant. He further submits that there is no specific allegation as to how the applicant assaulted the victim and with what kind of weapon. It is also submitted that investigation is complete, charge sheet has been filed and the applicant is in jail since 30/07/2017, therefore, the applicant may be granted bail.

4. On the other hand, learned State counsel submits that the statement of the looted victim and the recovery of various weapons used by the applicant shows that

present is a case of Highway robbery. It is also submitted that the victim has also sustained certain injuries and there are witnesses who have seen the applicant assaulting the victim.

5. Taking into consideration the submission of learned counsel for the parties, I am not inclined to grant bail to the applicant at this stage. The application is accordingly rejected, however, if the trial is not concluded early, the applicant may revive his application.

Sd/-
(Manindra Mohan Shrivastava)
Judge