

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M. Cr. C. (A) No. 1051 of 2017**

Kushal Sahu S/o Ramavtar Sahu, aged about 32 years, R/o Village
Kevtintola, P. S. Korar, District North Bastar Kanker, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police Station
Mohla, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Mukesh Shrivastava, Advocate
For Respondent/State	:	Smt. M. Ashal, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****14/12/2017**

The present application under Section 438 of Cr.P.C. has been filed seeking for grant of anticipatory bail to the applicant apprehending his arrest in connection with Crime No. 91/2017 registered at Police Station Mohla, District Rajnandgaon (CG) for the offence punishable under Sections 454, 457, 380, 34 of IPC.

2. As per the prosecution case, the allegation against the applicant is that he along with other co-accused is said to have committed robbery in the house of the complainant Smt. Karuna Somkunwar on 23rd October, 2017 while she had gone out on Diwali holidays. The applicant is said to have escaped with the stolen properties and the co-accused was caught red handed.

3. Counsel for the applicant submits that it is a case where the applicant has been falsely implicated in the instant case. He submits that the complaint is based upon the statement of the co-accused which would

not be tenable in the eye of law. Thus, prayed for grant of anticipatory bail to the applicant.

4. State counsel, however, opposes the bail application.

5. Given the facts and circumstances of the case, particularly the nature of offence and the allegation levelled against the present applicant, this Court is of the opinion that prima facie, it is not a fit case for grant of anticipatory to the applicant.

6. Accordingly, the application filed u/s 438 Cr.P.C. for grant of anticipatory stands rejected.

**Sd/-
(P. Sam Koshy)
Judge**