

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1548 of 2017

Chetan Patel S/o Shri Mahadev Patel, Aged About 19 Years R/o Village Toran, Police Station Khamariya, Tahsil & District Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Saja, District Bemetara, Chhattisgarh.

---- Respondent

For applicant - Shri Devershi Thakur, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/03/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 72/2016 registered in Police Station Saja Distt. Bemetara (CG) for offence punishable under sections 395, 397, 450, 412 of IPC & 25, 27 of Arms Act.
2. As per the prosecution case, in the intervening night of 4-5/03/2016 applicant along with other co-accused entered into the house of Kanhaiya tied his family members, took out the ornaments of the ladies which they were wearing and fled away. Subsequently, applicant was arrested on 23/07/2016 and on his memorandum certain silver ornaments were recovered along with mobile, cash and rod used in the incident. Said ornaments were further identified by the complainant's family members.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, there is no identification and the applicant was arrested after 4 ½ months of the incident, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. From the possession of the applicant certain silver ornaments were recovered which were identified and were subject of dacoity. Taking into such fact, this court is not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE