

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1717 of 2017**

Santlal Vishwakarma S/o Lt. Punit Ram Vishwakarma, Aged About 26 Years R/o Village Pedawari, Police Station Bhanupratappur, Revenue & Civil District North Bastar Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Bhanupratappur, District North Bastar Kanker, Chhattisgarh.

---- Respondent

For applicant	Mr. P.K. Tulsiyan, Adv.
For Respondent/State	Mr. Neeraj Jain, GA

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****28/03/2017**

1. Heard finally.
2. The applicant has been arrested in connection with crime no. 156/2016 registered in PS. Bhanupratappur, Distt. North Bastar Kanker for offence under Section 399, 402, IPC read with Section 25 of the Arms Act. Charge sheet has been filed and the same is pending as Sessions Trial No. 5/17 before the Additional Sessions Judge, Kanker.
3. Learned counsel for the applicant submits that there is no evidence to demonstrate as to in whose house the applicant and other accused persons were planning for committing dacoity. The other co-accused persons have been granted bail vide order dated 24-01-2017 in MCrC No. 131/17. Case of the applicant and other co-accused persons granted bail is similar. Hence the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposed the bail application.
5. The applicant has prayed for grant of bail pending before this Court and as per settled law, this court has to appreciate the material collected against the present applicant. Bail of other co-accused itself

may not be the basis of release of present applicant. Perusal of the entire material goes to show that the applicant was a member of an assembly which was planning to commit dacoity as fake nexalites. Looking to the material surfaced in the entire charge sheet, I am not inclined to allow the bail application as the evidence collected is of serious nature.

6. The bail application is rejected.

**Sd/-
(Chandra Bhushan Bajpai)
Judge**

Pathak