

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1928 of 2017

1. Puranik Lal Sapaha S/o Late Manglu Ram Sapaha, Aged About 44 Years, R/o Babu Bagicha, Ward No. 4, Police Station Patan, Distt. Durg, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through : Police Station Supela, District Durg, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Shrawan Agrawal, Advocate.

For Respondent/State – Shri Anil Pandey, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

06-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.684/2016 by Supela police, District Durg, C.G. for the offence under Section 418, 420, 467, 468, 471, 120B/34 of the IPC. The charge sheet has been filed and the case is pending before the JMFC Durg as Criminal Case No.10650/16. Learned counsel for the applicant would further submit that only incriminating circumstance against the applicant as per charge sheet is that he along with other co-accused took Nehru Lodhi to the house of Bairagi Swai and identified him as Vishnu Lodhi. He is innocent and in jail since 13-09-2016. No other evidence is collected by the prosecution. He may be enlarged on bail during trial.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and submitted that memorandum of Nehru Lodhi was recorded and the facts collected that the applicant was also having other criminal antecedent as he remained in jail. He falsely identified the Nehru Lodhi as Vishnu Lodhi and along with other co-accused prepared false and fabricated revenue papers and proceeded further,

took the 4 lac rupees from Bairagi Swai. Hence, the involvement of the applicant is duly shown in the charge sheet, offences registered is of serious nature, the MCRC may be dismissed.

4. Perused the material.

5. On due consideration of the evidence collected against the present applicant, I am not inclined to grant bail to the present applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE