

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 260 of 2017**

Sunil Thakur/ Nai @ Lal S/o Shivnarayan Nai, Aged About 27 Years
R/o Village Tendua, Post Office & Police Station Patna, District Koriya
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Patna, District Koriya Chhattisgarh

---- Respondent

For applicant	Mr. Shivendu Pandya, Adv.
For Respondent/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****26-9-2017**

1. Heard finally.
2. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 116/2013 registered in PS Patna, Distt. Koriya (CG) for offence punishable under Section 307, 34 of the IPC.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed against one Santlal @ Pappu Nai and the present applicant is shown as absconding. The matter is committed to the court of Sessions and is pending before the Addl. Sessions Judge, FTC, Baikunthpur as ST No. 86/2013. Against the applicant permanent non-bailable warrant of arrest has been issued and the applicant is declared absconding. The trial Court proceeded trial for co-accused Santlal @ Pappu Nai and vide judgment dated 30-1-2015 acquitted him affording benefit of doubt. The applicant is falsely implicated. He is a respectable person. Hence he may be granted anticipatory bail.
4. Per contra, learned State counsel opposes the arguments advanced

on behalf of the applicant.

5. Perused the matter.
6. After perusal of the material surfaced against the applicant in the charge sheet and also as the present applicant is absconding since last about 4 years, not traceable even when permanent non-bailable warrant of arrest is issued against him, which is an additional circumstance against him. On due consideration of entire facts, I am not inclined to grant anticipatory bail to the applicant.
7. Consequently instant MCRCA is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Pathak