

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3882 of 2017

- Bhimnath Minj S/o Manbodh Minj, Aged About 22 Years, R/o Village Turidih, Police Station & Tahsil- Balrampur, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Ramanujganj, District- Balrampur-Ramnujganj, Chhattisgarh.

---- Non-applicant

For Applicant – Shri A.K.Yadav, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

14-07-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.126/2016 on 29-12-2016 by P.S. Ramanujganj, Civil District Surguja at Ambikapur, C.G. for the offence under Section 294, 398 of the IPC and Section 25 and 27 of the Arms Act, 1959. After investigation police had filed the charge sheet, which is pending before the CJM Balrampur, C.G. as Criminal Case No.47/2017. Learned counsel for the applicant would submit that co-accused Sanjay Minj has filed MCRC No.3650/2017, but he has not having any information whether the said MCRC is pending or disposed of. Nothing is seized from the applicant. Co-accused Pappu @ Pushpendra Lakda had not filed any petition for bail. The applicant is innocent. He is in custody since long. Trial may take some time. The instant MCRC may be allowed.
3. Per contra, learned counsel for the State/non-applicant opposed the argument advanced on behalf of the applicant and would submit that the applicant is identified by the complainant; when the complainant Amit Soni and Rupesh Tatapani after trading gold and silver ornaments, the present applicant

and two other persons came and they attempted to robbed the bag of ornaments and also they were asking to stop the vehicle, when the complainant not stopped the vehicle their two-wheeler they assaulted by shooting through a hand made pistol. The said bullet hit Rupesh Soni at the right hand. Looking to the entire facts, the instant MCRC may be dismissed.

4. Perused the entire material.

5. On consideration of the role of the applicant assigned and other facts, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE