

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 611 of 2017

- Aansuman Dubey S/o Uttam Dubey Aged About 24 Years R/o Sonar Para Champa District- Jangir-Champa (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Champa, District- Janjgir-Champa (Chhattisgarh).

---- Respondent

For Applicant : Mr. Alok Kumar Pandey, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

23/10/2017

1. Apprehending arrest in connection with Crime No.96/2017 registered at Police Station- Champa, District – Janjgir-Champa (C.G.), for offence punishable under Sections 147, 323, 394, 201 and 341 of Indian Penal Code (for short 'IPC') of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. One FIR was lodged by Akash Gupta against the complainant Faizal and others, stating that on 30.11.2016 between 5.30 to 6.00 pm of the same day offences were committed of rioting by unlawful assembly, causing simple hurt and loot, in which applicant Anshuman Dubey has been cited as a witness. After the lodging of this FIR, complainant Faizal Khan lodged another FIR against applicant and others stating that he was assaulted by Akash Gupta, Balveer Singh and 4 to 5 other persons and a gold chain in his possession was looted by them. On

the basis of this offence under Sections 147, 323, 394, 201 and 341 of IPC has been registered. It is submitted that applicant has been falsely implicated in this case and he is entitled for grant of anticipatory bail.

3. Learned counsel for State submits that statement under Section 161 of Cr.P.C. complainant Faizal Khan has specifically stated the name of applicant as one of the persons involved in the incident of Marpeet and loot similarly Balveer Singh has also stated in similar manner in his memorandum statement. Hence, he is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. Considering the facts and circumstances of the case, no extra-ordinary case is made out in favour of the applicant for grant of anticipatory bail.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge