

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 1144 /2016

Jitendra Yadav, S/o. Gajadhar Yadav, Aged About 31 Years, Caste-
Mahkul, R/o. Tildegga (Amakani), Tehsil- Pathalgaon, District Jashpur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Patthalgaon, District
Jashpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sandeep Yadav, Advocate.
For Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.03.2017

1. Apprehending arrest in connection with Crime No.136/2016 registered at Police Station- Patthalgaon, District Jashpur (C.G.) for the offence punishable under Section 395 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 03.06.2016 a report was made by one Sukhmani Singh that on that date, two persons came in Scorpio vehicle in her shop and knocked the door, when her daughter opened the door, two persons went inside the shop and took out Rs.5000/- from the cash box of the shop and while running away they pushed her daughter whereby she sustained injuries.
3. Learned counsel for the applicant would submit that the other co-accused have been tried in this case and they have been acquitted, the applicant has been falsely implicated in this case and presently there is no case of the prosecution against the applicant, therefore, he may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the documents. It appears that the applicant was absconding and was concealing himself in order to get him arrested. Taking into such fact, it is not a case where the benefit of Section 438 of Cr.P.C. can be extended to the applicant.
6. Accordingly, the bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge