

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1062 of 2017

1. Sushil Yadav S/o Shiv Charan Yadav, Aged About 42 Years R/o Village And Post Patrapali, Tahsil And Police Station Baikunthpur, District Korea, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through The S.H.O. Police Station Baikunthpur, District Korea, Chhattisgarh.

---- Respondent

For Applicant

Shri Syed Majid Ali, Advocate

For Respondent/State

Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

12/12/2017

1. Heard.
2. The applicant has preferred this application filed under Section 438 of the Cr.P.C. for grant of anticipatory bail as he is apprehending his arrest in connection with crime No.232/2017 registered in Police Station Baikunthpur, Dist. Korea, for offence punishable under Sections 307, 147, 148, 149, 186, 332 & 353 of the Indian Penal Code.

3. Considering the entire facts situation of the case and particularly considering the fact that the applicant appears to be a member of unlawful assembly, no case is made out to extend the benefit of Section 438 of the Cr.P.C. in favour of the applicant.
4. Accordingly, the bail application is rejected, however, if the applicant surrender before the trial Court and prefer an application under Section 439 of the Cr.P.C. for grant of regular bail, the trial Court shall consider and decide the said application as expeditiously as possible, in accordance with law and on its own merits.

Sd/-

Judge

Prashant Kumar Mishra

Gowri