

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1109 of 2018**

- Mayank Yadav S/o Prakash Yadav Aged About 22 Years R/o Sotumuda, Devarpara, Raigarh, District Raigarh, C.G.

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, Raigarh, Chhattisgarh,

---- Respondent

For Applicant	:	Shri Rajkumar Pali, Advocate
For Respondent-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/04/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 04.11.2016 in connection with Crime No.256/2016 registered at Police Station Tamnar, Distt. Raigarh (CG) for the offence punishable under Section 394/34, 120 B of the IPC.
2. As per the prosecution case, on 03.11.2016 the applicant in association with the other co-accused have looted an amount of Rs.2,46,000/- from the complainant namely Rakesh Kumar, who is a *munim* in some firm. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that only on the basis of the memorandum statement, the applicant has been inculpated and no recovery has been made from the applicant. He would further submit that out of 29 witnesses only 14 witnesses have been examined and the

charge-sheet in this case has been filed and no further investigation is required, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case-diary documents. Considering the facts & circumstances of this case and the nature of allegations, I am of the view that it is not a case where the benefit of bail can be granted. Accordingly, the bail application is dismissed. However, the trial Court is requested to expedite the trial.

Sd/-

Goutam Bhaduri

Judge

Ashu