

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No.205 of 2018**

1. Suraj Tandon, aged about 20 years, son of Lal Tandon,
2. Bharat Tiwari @ Kanha, aged about 18 years, son of Kaushik Prasad Tiwari,
3. Gokul Chhetija, aged about 30 years, son of Ramesh Chhetija,

All are residents of Village Dondekhurd, Police Station Vidhan Sabha, Raipur, Tahsil and District Raipur, Chhattisgarh

---- Applicants

versus

State of Chhattisgarh through the Station House Officer, Police Station Vidhan Sabha, Civil and Revenue District Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Pushpendra Kumar Patel, Advocate
For Respondent	:	Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****25.4.2018**

1. The Applicants are apprehending their arrest in connection with Crime No.24 of 2018 registered at Police Station Vidhan Sabha, District Raipur for an alleged offence punishable under Sections 392, 427, 294, 323, 147, 148 and 395 of the Indian Penal Code.
2. Facts of the case are that on 16.1.2018, the Complainant lodged a report making allegation that the present Applicants and other co-accused persons have committed robbery during the work of digging leased mines and damaged the instruments relating to the digging of mining materials. On the basis of the said report, police registered aforementioned Crime No.24 of 2018.

3. Learned Counsel appearing for the Applicants submits that the Applicants are innocent. They have been falsely implicated in the case. Applicant No.1 is an Up-Sarpanch of Village Dondekhurd, Applicant No.2 is a student and Applicant No.3 is the District Mantri of Vidhan Sabha Mandal, Bhartiya Zila Yuva Morcha. It is further submitted that illegal construction of mining has been made by the Complainant, therefore, the present Applicants and other villagers had forced him not to do so and in this regard several representations have been made by the present Applicants and other villagers for necessary action. Therefore, the false complaint has been lodged against the present Applicants. They are permanent residents of the said village and there is no possibility of their absconding.
4. Learned Counsel appearing for the State/Respondent opposes the prayer for grant of anticipatory bail. He submits that there is sufficient evidence on record that the Applicants are involved in the offence.
5. I have heard Learned Counsel appearing for the parties and perused the material collected so far with due care.
6. Taking into consideration the facts and circumstances of the case, the submissions put-forth and that there is *prima facie* sufficient evidence available against the Applicants, I am not inclined to allow the application for grant of anticipatory bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
JUDGE