

AFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.(A) No. 549 of 2018**

Faizal Zuber Mushtaq Khan, S/o Mohammad Mushtaq, aged about 24 years, R/o Opposite Kadar Jhnada Musk Kamthi, P.S. Kamthi, District Nagpur (M.H.).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Padmnabhpur, District Durg (CG).

---- Non-applicant

For Applicant : Mr. Hemant Gupta, Advocate.

For Non-applicant : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19.07.2018**

1. Apprehending arrest in connection with Crime No.275/2018, registered at Police Station Chowki Padmnabhpur, Police Station Durg, for the offence punishable under Sections 457, 380, 411 of Indian Penal Code, the applicant has filed this bail application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that on 03.04.2018 complainant Raiyteen Nath Maitee @ Raju Saakin, who is resident of Kasaaridiha present an application at Police Station Kasaaridiha, Durg that a sum of Rs.3,000/-, 1 golden chain, 1 golden ring and 120 pigeons, the total worth of Rs.25,000/- have been stolen from his house by some unknown person. As per the report of the officer in-charge of Police Station Padmnabhpur, the applicant is absconding and the matter is under investigation.
3. Counsel for the applicant would submit that applicant has not

committed any offence and has been falsely implicated in the case and as such the applicant is entitled to be released on anticipatory bail.

4. Learned counsel for the State would oppose the prayer for grant of anticipatory bail.

5. I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

6. Looking to the facts and circumstances of the case and looking to the impact of granting anticipatory bail to the applicant on society, this Court is not inclined to grant anticipatory bail to the applicant.

7. Accordingly, anticipatory bail application filed under Section 438 of CrPC is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-