

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5948 of 2018**

Rupdhar (wrongly written as Rukdhar) son of late Fagadu Nag, aged about 27 years, R/o Becha Jampadar Para, P.S. Chhotedonger, District Narayanpur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Chhotedonger, District Narayanpur (CG).

---- Non-applicant

For Applicant : Mr. N. K. Chatterjee, Advocate

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the State in connection with Crime No.24/2016 registered in Police Station Chhotedonger, District Narayanpur for the offence punishable under Sections 147, 148, 149, 395 of IPC and Sections 25 & 27 of Arms Act.
3. Case of the prosecution, in brief, is that on 09.10.2016 at about 3:00 pm in village Kilam Matagudi Para, the applicant along with 40-50 naxalites persons came in the outside of house of complainant Bir Singh and they abused the said complainant and made the allegation that his younger brother Chainu Ram is the informer of police and also gave threatening to kill him; and thereafter, they have committed robbery in his house, the total worth of Rs.1,69,000/-.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State would oppose the prayer

for grant of bail to the applicant.

6. I have heard counsel appearing for the parties and perused the case diary with utmost circumspection.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
8. Consequently, the bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-