

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.7924 of 2018**

Roshan Tandi S/o Sundar Tandi, aged about 19 years, R/o Avanti Vihar,
Vijay Nagar, Near Raju Kabadi, Thana Telibandha, Civil & Revenue
District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, Through: P.S. Civil Lines, Distt. Raipur (CG)

---Non-Applicant

For Applicant	:	Mr.Mayank Chandrakar, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.499/2018, registered at Police Station-Civil Lines, Raipur, District-Raipur (CG), for the offence punishable under Section 394 read with Section 34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant robbed mobile of Umesh Yadav on 16.7.2018 at 11.30 p.m. near Railway Station, Raipur and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that on the basis of memorandum statement of main accused Vishal Baghel, the applicant has been arrested, he is in jail since 27.7.2018 and charge-sheet has

been filed.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant and other co-accused persons have robbed the complainant's mobile.

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

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and the manner in which the applicant and other co-accused persons have robbed mobile of the complainant at late night near Railway Station, Raipur, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail. Consequently, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-