

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1150 of 2017

Jagadas, S/o. Tankdhar Das, Aged about 24 years, R/o. Village Birsekela, Post Office and Police Station Boden, District Nuapada (Odisha)

---- Applicant

Versus

State Of Chhattisgarh Through the Station House Officer, Police Station Amlipadar, District Gariyaband Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/03/2018

1. The present is an application under Section 438 of Cr.P.C. seeking for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 35/2015, registered at Police Station Amlipadar, District Gariyaband, Chhattisgarh for the offence punishable under Sections 398/506(Part II)/34 of Indian Penal Code (As per charge sheet).
2. The contention of the counsel for the applicant is that there is no role played by the present applicant in the offence alleged, neither is there any material available in the police records to show the overt act on the part of the present applicant. He further submits that the co-accused persons have already been acquitted in the trial Court and thus the present applicant may be granted the benefit of anticipatory bail.
3. The State counsel however opposes the bail application.

4. Perusal of the record would show that the present applicant has been shown as an absconder right from the inception itself i.e. when the charge sheet itself was filed. Meanwhile, the entire trial in respect of co-accused have also been concluded.
5. Under the aforesaid facts and circumstances of the case, this Court is of the opinion that it is not a fit case for grant of anticipatory bail.
6. Accordingly, the present anticipatory bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge