

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8091 of 2018

Aakash Soni, S/o. Shri Laxminarayan Soni, Aged about 19 years, R/o.
Ward No. 3, Mittail Line, Near Balram Talkies, Bilaspur, P.S. Civil Line,
Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh through Police Station Tilda Neora, District Raipur
(C.G.)

---- Respondent

For Applicant : Mr. Chandresh Shrivastava, Advocate
For Respondent : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

30/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 327/2018 registered at Police Station- Tilda Neora, District Raipur (C.G.) for the offence punishable under Section 392 and 34 IPC.
2. Case of the prosecution, in brief, is that on 16.09.2018 FIR lodged by the complainant wherein it is alleged that when he was returning to his home from duty on 16.09.2018 midnight at 0.20 AM at that that four boys stopped him near nursery at Village Sirve and looted one mobile and Rs. 2100 from him.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the FIR lodged against the unknown persons and the test identification parade

conducted by the Police is doubtful, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for bail.
5. Having heard counsel for parties and considering the total facts and circumstances of the case, particularly the statement of the complainant, I am of the opinion that it is not a fit case where the applicant should be enlarged on bail. Accordingly, the instant M.Cr.C is rejected.

Sd/-
(Vimla Singh Kapoor)
Judge

Santosh