

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 41 of 2019**

Manoj Kumar Kurre S/o Samay Lal Kurre Aged About 21 Years R/o Village Parsada Tahsil Jaijaipur Police Station Hasoud District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer ,police Station Hasoud District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant : Smt. Indira Tripathi, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****04.02.2019**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 31 of 2014, registered at Police Station – Hasod, District Janjgir-Champa, Chhattisgarh for the offences punishable under Section 363 of the Indian Penal Code. The case-diary also mentions registration of offence only under Section 363 of the IPC, which is a bailable offence according to the schedule of Cr.P.C. Hence, the jurisdiction under Section 438 of the Cr.P.C. would not be exercised in this case and this bail application is not maintainable.

3. Accordingly, the anticipatory bail application is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi