

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2638 of 2019

- Devi Prasad Bansor S/o Shri Narad Muni Bansor Aged About 50 Years R/o Krishna Nagar, Ganesh Chowk, Thana, Supela, Tahsil & District-Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Chhawani, Bhilai, District-Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anand Dadariya, Advocates.
For Respondent/State	:	Mr. Devendra Pratap Singh, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

08/07/2019

1. This is 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.132/2019 registered at Police Station–Chhawani, Bhilai, District–Durg(C.G.) for the offence punishable under Sections 394, 120-B of the Indian Penal Code & Section 25 & 27 of Arms Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant. There is no evidence against this applicant except memorandum statements given by co-accused persons which are not legally admissible evidence. Apart from that, as per prosecution

story itself, this applicant was not present on the spot of incident. The applicant is in jail since 8.3.2019. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant is the king-pin of the entire crime. It is he who provided materials and information to main offenders for committing crime in question. Fire-arm & motorcycle used in commission of crime have also been recovered from possession of this applicant. Therefore, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. On the date of incident, three persons came on a motorcycle, caused injuries to complainant Dubey Ram with the use of fire-arms and looted cash amount of Rs.9,19,000/- from complainant. During investigation, it was revealed that this applicant was the provider of information and other material to co-accused persons. One motorcycle & country-made fire arm was recovered from the possession of this applicant.
6. After considering the entire material present in the case diary, I am not inclined to allow bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge