

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4118 of 2019

- Imran Ahmed Ansari S/o Israel Ansari, Aged About 30 Years R/o Near Prem Kirana Store, Prem Nagar, Rented House Of Jogi Thakur, Kondagaon, Police Station Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Azad Chowk, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Shri Rajeev Bharat, Advocate.

For Non-applicant : Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board14.08.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 167/2018 registered at Police Station – Azad Chowk, District – Raipur (C.G.) for the offence punishable under Sections 394, 395, 397 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 15.07.2018, complainant Prashant Sharma had collected an amount of Rs. 31,33,950/- from Wine Shops. He kept the said amount in his bag.

When he was going to deposit the said amount in the office of Rider Save Guard Private Company, Sundernagar, at that time, some unknown persons stopped his motorcycle and snatched the bag and one mobile bearing SIM No. 8878971117 from him, they also caused injuries on him. On the memorandum of applicant one mobile and one black bag of Rider Save Guard Private Limited Company containing 3 lakh rupees were seized from him.

4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal incident against the applicant.
6. Counsel for the applicant further submits that P.W.2 complainant Prashant Sharma has been examined in the trial Court and when the Court put question he replied that the culprits were masked, thus he is unable to identify any person present in the Court.
7. In the case in hand prosecution story is that some unknown persons had looted complainant Prashant Sharma. Thus, the aforesaid statement of P.W.2 complainant Prashant Sharma is not helpful to the applicant regarding the disposal of the bail application.
8. In the case in hand one black bag of said company was seized from the possession of the applicant. Investigating Officer is to be examined.
9. Looking to the above mentioned facts and circumstances of the case, looking to the alleged seizure of the black bag of said company from the applicant, looking to the seriousness of the offence, looking to

the impact of granting bail to the applicant on society, this Court is not inclined to grant bail to the applicant.

10. Consequently, the present bail application is rejected.

11. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE