

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8490 of 2018**

Kundan Gupta @ Mukur @ Guddu S/o Shri Shanakar Gupta Aged About 26 Years Currently Residing At C/o Shri Shekhar Verma Krishna Nagar, Police Station Tikrapara, Tehsil And District Raipur Chhattisgarh Permanent Address Arurwa Khurd, Hariharganj, District Palamu, Jharkhand, District : Palamu, Jharkhand .

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Tikrapara, District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sharad Mishra and Shri Sangeet Kumar Kushwaha, Advocates
For the State	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.409/2016 registered at Police Station Tikrapara, District Raipur (C.G.) for the offence punishable under Section 397, 307 of IPC and Section 25 & 27 of Arms Act.
3. Case of the prosecution, in brief is that complainant Ashok Singh is the employee of foreign liquor shop situated at Lalpur. On 01/10/2016 at about 8 a.m. two co-accused entered in the said foreign liquor shop doing firing. Two other co-accused were present outside the said shop. Both two accused has started to rob the cash from the cash counter. Complainant intervened. On co-accused fired injury was caused on the right thigh of the complainant by bullet. During test identification parade said complainant identified applicant and other three co-accused. Robed amount was Rs.14,000/-. On the memorandum of applicant one pistol was seized from the house of co-accused Pradeep Dom.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail. Counsel for the applicant further submits that witnesses have not supported the prosecution case during the trial.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
 Judge