

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7573 of 2020

1. Varun Singh S/o Jhulanrai, Aged About 31 Years Occupation - Business, R/o Khamhori, Post - Rajpur, Police Station Goutambudh Nagar, Tarvara, District Sivan, Present Address Patrapali, Kirodimal Nagar, Raigarh, Police Station Kotraroad, Tahsil & District Raigarh (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Kotraroad, Raigarh, District Raigarh (C.G.).

---- Respondent

For Applicant	: Shri Awadh Tripathi, Advocate.
For Respondent/State	: Shri Rakesh Sahu, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya
Order on Board

23/11/2020

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No. 125/2020, registered at Police Station Kotraroad, Raigarh, District Raigarh (C.G.) for the offence punishable under Sections 302, 397, 307, 120-B, 34, 398 of IPC read with Sections 25 & 27 of Arms Act.
- 2) Allegation against the applicant is that on 03/07/2020, the applicant committed murder and robbery in ATM in day time. It is submitted that applicant alongwith other co-accused committed this effrontery crime by providing motorcycle for smooth commission of crime. Not only money from ATM machine have been looted but also a driver of said cash van had been shot dead. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the applicant.

- 3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the crime in question and no incriminating material has been seized from the applicant in the said crime. Therefore, the applicant be released on bail.
- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) I have heard the learned counsel appearing for the parties and perused the case diary.
- 6) Apart from the present application, another application of the present applicant is also listed i.e. MCRC No. 7883 of 2020 for grant of bail as he has been arrested in Crime No. 442/2020, registered at Police Station City Kotwali, Raigarh, District Raigarh for the offence punishable under Section 397/34 of IPC.
- 7) Considering the facts and circumstances of the case, the gravity of the offence, in particular the fact that the applicant is also involved in similar nature of offence and the manner in which the present crime has been committed, without commenting anything on merits of the case, this Court is of the opinion that present is not a fit case to release the applicant on bail. Accordingly, the application is rejected.

-Sd/-
(Gautam Chourdiya)
Judge