

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7883 of 2020**

1. Varun Singh S/o Dulan Ray (wrongly mentioned in the order sheet as Dulan Ram), Aged About 31 Years, R/o Village Patrapali Kirodimal Nagar, Police Station Kotra Road Raigarh, Tahsil & District Raigarh (C.G.).

**---- Applicant**

**Versus**

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

**---- Respondent**

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

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**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. 442/2020, registered at Police Station City Kotwali, Raigarh, District Raigarh for the offence punishable under Section 397/34 of IPC.
- 2) Allegation against the applicant is that on 14/06/2019, the applicant committed robbery in Bank alongwith other co-accused persons. On report being lodged to the above effect, offence under the aforesaid section has 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. 7573 of 2020 for grant of bail has he has been arrested in 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.
- 7) Considering the facts and circumstances of the case, 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**

Chandrakant