

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1707 of 2021**

- Suhel Khan S/o Wahid Ali Aged About 20 Years Caste Musalman R/o Village Aajad Mohalla, Karbala Road, Jashpurnagar, P. S. And District Jashpur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Jashpur District Jashpur Chhattisgarh

---- Non-applicant

For Applicant : Shri A.K. Yadav, Advocate.

For Non-applicant : Shri Uddhav Sharma, Government Advocate

Hon'ble Shri Justice Narendra Kumar Vyas

Order On Board**26.05.2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 26.01.2021 in connection with Crime No. 223/2020 registered at Police Station Jashpur, District – Jashpur (C.G.) for the offence punishable under Sections 294, 323, 506, 394, 120-B, 201 of IPC.
2. Case of the prosecution, in brief is that on 04.11.2020, the applicant along with co-accused have committed robbery from the complainant of Rs. 100/-, one mobile and motor-cycle from the complainant, therefore, criminal case No. 223/2020 has been registered against unknown persons for the offence punishable under Section 294,323,506,394,120-B,201 of IPC. Investigation was conducted by the police and on the basis of materials collected during the investigation, criminal case against the applicant along

with other coaccused Tabrez Shah and Javed Shah has been registered by the police.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, he has no criminal background, he is the only breadwinner of the family, therefore, prayed that the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. From the perusal of the diary and the materials collected during the investigation, it is found that applicant was present at the place of occurrence of the offence and he has looted one mobile phone from the complainant, therefore, I am not inclined to release the applicant on bail.

7. The bail application filed by the applicant is liable to be dismissed and accordingly dismissed.

Sd/-

(Narendra Kumar Vyas)
Vacation Judge