

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

MCRC No. 3557 of 2021

- Sagar Sharma S/o Shardanand Sharma, Aged About 19 Years, R/o Ekta Nagar Camp - 2 Bhilai, District Durg Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, Khursipaar, Bhilai, District- Durg, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Anurag Jha, Advocate
For Non-Applicant/State : Shri C.B. Kesharwani, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22.07.2021

- 1) The applicant has preferred this Second Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 02.10.2020 in connection with Crime No.597/2020, registered at Police Station- Khursipaar, District- Durg (C.G.) for the offence punishable under Section 394 of IPC.
- 2) Case of the prosecution, in brief, is that the present applicant alongwith other co-accused persons committed robbery of money and mobile handset with the truck driver and assaulted him with knife near Khursipar and fled away.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he further submits that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding the applicant has been arrested on 02.10.2020 and due to Covid-19 trial is likely to take some time

for its final disposal. Therefore, the applicant be released on bail by this Court.

- 4) On the other hand, learned counsel for the Non-Applicant/State opposes the bail application and submits that the applicant committed robbery of mobile and money from the truck driver/complainant and assaulted him with knife, when he was sleeping inside the truck near Khursipar.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation made against the present applicant, looking to the injury sustained by the complainant and material collected against the applicant during the investigation, I am not inclined to grant bail to the present applicant.
- 6) Accordingly, the bail application is hereby rejected.

Sd/-
(Gautam Chourdiya)
Judge

Nadim