

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****M.Cr.C. No. 4671 of 2021**

- Anupam @ Monu Tripathi, Son of Ramlakhan Tripathi, aged about 26 years, R/o. Yadunandan Nagar Tifra, Bilaspur, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : The Station House Officer, Police Station Sirgitti, District Bilaspur (C.G.)

---- State/Non-applicant**And****M.Cr.C. No. 4719 of 2021**

- Vikram Patre S/o Bajrang Patre, Aged about 23 years, R/o Yadunandan Nagar, Tifra, P.S. Sirgitti, Bilaspur, Tahsil & District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : P.S. Sirgitti, Bilaspur, District Bilaspur (C.G.)

---- State/Non-applicant

For Applicants : Shri Punit Ruparel, Advocate

For Non-Applicant/State : Shri K.K. Singh, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****03.08.2021**

1. As both the above first bail applications under Section 439 of Cr.P.C. preferred by the applicants arise out of the same Crime Number i.e. 261/2021 registered in Police Station- Sirgitti, District Bilaspur (CG) for the offence punishable under Section 394 read with Section 34 IPC, they are being disposed of by this common order.
2. Prosecution story in brief is that complainant Jayant Joshi lodged a report alleging that on 06.06.2021 while he was returning to his home in the night

from the hospital, the accused/applicants assaulted him with stick and looted one mobile and Rs.12,000/- from his pocket.

3. Learned counsel for the applicants submits that the allegations against the applicants are false and fabricated, they have been falsely implicated in this case. He submits that there is no direct proof of applicants' involvement in the alleged crime. He also submits that applicants are in jail since 07.06.2021 & 08.06.2021, charge-sheet has already been filed, conclusion of the trial is likely to take some time, therefore, at this stage, they may be granted bail.
4. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that applicant Anupam @ Monu Tripathi has number of criminal antecedents.
5. Considering the facts and circumstances of the case, looking to the nature of allegation against the applicants that they looted Rs.12,000/- and mobile-phone from the complainant in the night after assaulting him with stick, the fact that there are number of criminal antecedents of the applicant Anupam @ Monu Tripathi as admitted by both the counsels and is mentioned in the impugned order by the trial Court, without expressing any opinion on merits of the case, this Court is of the opinion that present is not a fit case for releasing the applicants on bail.
6. Accordingly, these bail applications are dismissed.

Sd/-

(Gautam Chourdiya)
Judge