

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4954 of 2021

- Sanju @ Sandeep Goswami S/o Late Shriram Goswami, aged about 28 years, Caste Goswami, R/o Housing Board Colony, Saddu, Raipur, Police Station Pandri, District - Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through : District Magistrate, District Janjgir-Champa (C.G.)

---- State/Non-applicant

For Applicant	:	Shri T.K. Jha, Advocate
For Respondent/State	:	Shri Priyanshu Gupta, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

08.09.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 23.05.2018 in connection with Crime No. 141/2018 registered in Police Station – Janjgir, District Janjgir-Champa (CG) for the offence punishable under Sections 341, 294, 394, 34 of IPC.
2. Prosecution story in brief is that complainant Aashish Swarnkar lodged a report alleging that on 10.03.2018, the accused/applicant wrongfully restrained the complainant, abused him filthily and robbed one mobile and golden chain from him by causing hurt.
3. Learned counsel for the applicant submits that the allegation against the applicant is false and fabricated, he has been falsely implicated in this case. He submits that there is no direct proof of applicant's involvement in the alleged crime. He also submits that applicant is in jail since 23.05.2018, charge-sheet has already been filed, due to Covid-19 pandemic, conclusion of the trial is likely to take some time, therefore, at this stage, he may be

granted bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, particularly considering the allegation made against the present applicant, trial is in progress as 13 witnesses have been examined and in near future case is likely to be disposed of by the trial Court, the evidence so far recorded before the trial Court cannot be appreciated at this stage by this Court, therefore, I am not inclined to grant bail to the applicant.
6. Accordingly, the bail application is dismissed. It is made clear that if trial is not concluded within a period of six months from today, the applicant shall be at liberty to repeat his prayer for grant of bail.

Sd/-

(Gautam Chourdiya)
Judge