

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5892 of 2021

- Yashwant Verma, S/o Shri Ghanshyam Verma, Aged About 22 Years, R/o Near Om Sai Kirana Store, Birgaon, P/S- Urla, Raipur, Civil and Revenue District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Police Station-Urla, District- Raipur, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Ajay Mishra, Advocate

For Non-Applicant/State : Smt. Deepti Shukla, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

20.09.2021

- 1) Heard on admission.
- 2) The application is admitted for hearing.
- 3) With the consent of the parties, the matter is heard finally.
- 4) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 31.05.2021 in connection with Crime No. 382/2020, registered at Police Station- Urla, Raipur, District- Raipur (C.G.) for the offence punishable under Sections 452, 294, 506, 327 & 323 of IPC.
- 5) Allegation against the applicant is that he demanded money from the complainant for liquor, he entered the house of the complainant, gave threat of life, abused the complainant filthily and assaulted the complainant with hands & fists. On report being lodged to the above effect the aforesaid offence has been registered against the present applicant.

- 6) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that there is no likelihood of applicant tampering with the prosecution evidence or absconding. The applicant is in jail since 31.05.2021 and due to COVID-19 trial is likely to take some time for disposal. Therefore, the applicant be released on bail by this Court.
- 7) On the other hand, learned counsel for the Non-Applciant/State opposes the bail application and submits that the applicant has as many as six criminal antecedents under different sections of IPC & Arms Act bearing Crime Nos. 195/2019, 314/2019, 386/2019, 526/2019, 382/2020 & 149/2021.
- 8) 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, the assault made on applicant in connection with demand of money for liquor, the fact that the applicant is habitual offender, he has as many as six criminal antecedents under different Sections of IPC & Arms Act, looking to the statement of eye witness Pradeep Kumar Chouhan and other material collected by the police during investigation, without commenting anything on merits of the case, the bail application of the applicant is rejected.

Sd/-

(Gautam Chourdiya)
Judge

Nadim