

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5646 of 2021

1. Amit Kumar Vishwakarma S/o Dilip Kumar Vishwakarma, Aged About 26 Years, R/o Quarter No. 1 H, Street No. 63, Sector 6 Bhilai Nagar, District Durg (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through S.H.O. Bhilai Nagar, District Durg (C.G.).

---- Non-Applicant

For Applicant	: Mr. B.P. Singh, Advocate.
For Non-Applicant/State	: Mr. Anand Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

24/08/2021

- 1) The matter is heard through Video Conferencing.
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 25/03/2021 in connection with Crime No. 109/2021 registered at Police Station Bhilai Nagar, District Durg (C.G.) for the offence punishable under Section 394, 397/34 of Indian Penal Code.
- 3) As per the prosecution on 23/02/2021 at 10:46 PM near Maharanan Pratap Bhawan Chowk, Sector-7 Bhilai Nagar, co-accused Sanni Sardar and Roshan alongwith present applicant looted Rs. 1,500/- cash and Aadhar Card of the complainant Navneet Bhandari on the point of knife and also assaulted the complainant with Chopad and Iron Rod on his leg which resulted in fracture. On report being lodged to the above effect, the aforesaid offence have been registered against the accused

person.

- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant was not even named in the FIR and nothing has been seized pursuant to his memorandum. He further submits that applicant is in jail since 25/03/2021, charge sheet has already been filed and conclusion of trial is likely to take some time for its disposal due to COVID-19 Pandemic. Therefore, the applicant be released on bail.
- 5) On the other hand, learned counsel for the State opposes the bail application.
- 6) I have heard the learned counsel appearing for the parties.
- 7) Considering the facts and circumstances of the case, the role attributed to the applicant in commission of offence, the bail application of co-accused Maninder Singh @ Sanni passed in MCRC No. 3976/2021 vide order dated 11/08/2021 has already been rejected by the Co-ordinate Bench of this Court and other material available in the case dairy, without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected** with liberty to revive the prayer after examination of injured Navneet Bhandari.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant