

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C (A). No. 1098 of 2021

Ramnath Gurjer S/o Ramnaresh Gurjer, Aged About 28 Years, R/o Vill. Gudru, P.S. Raghunathnagar, Distt. Balrampur-Ramanujganj (Chhattisgarh).

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Raghunathnagar, District Balrampur-Ramanujganj, (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Arun Shukla, Advocate.
For State	: Mr. B.L. Sahu, PL.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

27/09/2021

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.79/2021 registered at Police Station –Raghunathnagar, District Balrampur-Ramanujganj, (CG), for the offence punishable under Sections 394, 427, 34 of IPC.
2. Case of the prosecution, in brief, is that on 14.06.21 complainant along-with other relatives was going to Raghunathnagar, (CG) from Damoh, Madhya Pradesh on hired Bolero vehicle. At about 01:30 am in midnight when they reached near village -Asandih, applicant along-with co-accused Ajay Gurjer intercepted, snatched two mobile phones one Redmi another Realme and cash of Rs.26,000/- from complainant and other persons. They have also damaged the vehicle. Incident was reported to concerned police station, based upon which aforementioned crime is registered against applicant and co-accused Ajay.
3. Learned counsel for the applicant submits that when applicant along-with Ajay Gurjer was returning their village and reached near village -Asandih at about 01:30 am in midnight, they found that complainant party trying to

board one girl on Bolero vehicle, misbehaving with her which was objected by applicant due to which incident took place. Incident was reported to Outpost Balgi, PS -Raghunathnagar. Copy of receipt of complaint is placed on record alongwith covering memo. Co-accused was enlarged on regular bail vide order dated 04.08.21. Applicant has been falsely implicated in the instant crime, hence, he may be enlarged on anticipatory bail.

4. Learned State Counsel opposes the submissions made by learned counsel for applicant and submits that immediately after incident in morning FIR was lodged by complainant. Accused persons not only snatched mobile phones and cash of Rs.26,000/- from complainant party but have also damaged the vehicle. As per contents of complaint, complainant party was coming to Chhattisgarh for purpose of interaction with the girl for marriage from Damoh, Madhya Pradesh on rented vehicle. There are three other criminal antecedents against applicant. Hence, he is not entitled for grant of anticipatory bail.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation, incident stated to be taken place at midnight and FIR was lodged on the next day in morning, Police seized the damage vehicle from complainant, submissions of learned counsel for the parties, I do not find it to be a fit case to enlarge the applicant on anticipatory bail.
7. Accordingly, anticipatory bail application is rejected.

Sd/-
(Parth Prateem Sahu)
 Judge

Jamal/-