

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7813 of 2021**

1. Amit Josh Morish, S/o Archie Bold Morish, aged about 28 years, R/o Quarter No.1-F, Street No.31, Sector-6, Bhilai Nagar, Tahsil and District Durg (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khursipar, District Durg (CG)

---- Non-Applicant

For Applicant	: Shri Abhishek Pandey, Advocate.
For Non-Applicant	: Shri Vaibhav Kartikey Agrawal, PL.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****25/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.293/2021 registered in Police Station Khursipar District Durg for offence under Section 399 of the IPC and Section 25 of the Arms Act.
2. Case of the prosecution, in brief, is that on 12.7.2021 at about 20.55 hours, as per the information given by the informant, some accused persons have assembled in the house of Inder Singh @ Sanni @ Takli and they are in possession of pistol, knife and other weapons in order to commit the crime. The police after getting information conducted raid in the house and heard their conversation. The police entered the house and enquired from the accused persons wherein the accused persons

informed that they have planned to commit dacoity in the house of one Seth. During search, the police seized one 7.65 mm pistol, 2 pieces of magazines, 8 live cartridges of 7.65 mm pistol from accused Amit Kumar; one pistol, 2 magazines, 6 live cartridges of 7.65 mm pistol from accused Inder Singh, one knife from accused Arbaj Siddiqui, a sharp cutter from accused Sumit Singh, 100 gram Chilly powder and steel rod from Rupesh Singh and a steel rod from the present applicant.

3. Learned counsel for the applicant would submit that on 12.7.2021 at about 8.30 pm when the applicant and his wife were walking after taking dinner, at that time 4-5 persons reached there impersonating them to be the officers of the Crime Branch. They after enquiry took the applicant with them. When the wife of the applicant objected, the said persons told her that they are taking the applicant for enquiry. The police seized one iron rod from the applicant which is commonly found everywhere. Most of the previous cases have been disposed of. However, the police arrested the applicant on the basis of previous cases.
4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case as also the seriousness of the offence and the recoveries made from the accused persons including the present applicant and the nature of evidence, this Court is not inclined to release the applicant on bail. Accordingly, the Application is rejected.

Sd/-
(Deepak Kumar Tiwari)
Judge