

Shakeer Khan vs State Of Chhattisgarh on 17 February, 2016

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HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 594 of 2016

Shakeer Khan, aged about 35 years, son of Shri Sarbar Khan, resident of Gali No.3, Gauri Nagar, Outpost-Chikhali, P.S. Kotwali, Rajnandgaon, Civil and Revenue Distt.Rajnandgaon (CG)

---Applicant

Versus

The State of Chhattisgarh Through-the Station House Officer, Police Station-City Kotwali, Rajnandgaon, Civil and Rev. Distt.Rajnandgaon (CG)

---Non-applicant

For Applicant : Mr. M.K.Bhaduri, Advocate.

For-Non-applicant : Mr. D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

17/02/2016

1.

This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 908/2014, registered at Police Station-City Kotwali, Rajnandgaon, District-Rajnandgaon (CG), for the offence punishable under Sections 393, 395 & 398/34 of the IPC and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that the applicant and other co-accused persons have attempted to commit dacoity/robbery in Vijaya Bank, Rajnandgaon and thereby committed the aforesaid offences.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 23.12.2015, charge-sheet has already been filed and no useful purpose will be served by detaining him in jail, therefore, he may be released on regular bail.

4. Learned State counsel would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; the manner in which the applicant is alleged to have attempted to commit dacoity/robbery in Vijya Bank and the fact that bail applications of co-accused Bharat and Haider have been rejected by this Court, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal) JUDGE B/-