

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.3259 of 2015**

Sangram Singh Thakur S/o Ramgulam Singh Thakur Aged About 30 years R/o Near
Malsai Talab, Kushanpur, Purani Basti, Raipur District Raipur Chhattisgarh

---- **Petitioner****Versus**

State Of Chhattisgarh Through : Station House Officer, Police Station - Purani Basti,
Raipur, District Raipur Chhattisgarh

---- **Respondent**

For Petitioner	:	Shri V. R. Tiwari, Advocate
For Respondent/State	:	Manish Nigam, Panel Lawyer

Order On Board**27/07/2015**

The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.261/2014 registered at Police Station Purani Basti, Raipur, District Raipur for the offence punishable under Section 323/149, 427/149. 365/149 & 395 of IPC. The applicant has been arrested on 08-10-2014.

2. This is second application.

3. Case of the prosecution is that the applicant and other accused assaulted and looted golden chain and cash of Rs.60,000/- from one Aniket Pandey.

4. Learned counsel for the applicant submits that the independent witnesses of the incident namely Harshwardhan Shukla, PW-1 and Suresh Kumar Patel, PW-2 have been examined and they have not supported the allegation of any loot by the applicant. The complainant- Aniket Pandey is absconding and he has not been examined by the Court till date. It is submitted that the applicant is in jail since last 10 months and as all the material witnesses have been examined, the present is not a case of any serious issue involving dacoity, but only quarrel, the applicant may be granted bail.

5. On the other hand, learned State counsel opposed the bail application by submitting that the complainant- Aniket Pandey is yet to be examined.

6. Taking into consideration the submission of learned counsel for the parties, particularly

taking into consideration that the independent prosecution witnesses, who are said to be examined as witness of the incident, have already been examined and the complainant is said to be a person, against whom, criminal cases are pending, I am inclined to grant bail to the applicant.

7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with one local surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted.

Sd/-
Manindra Mohan Shrivastava
Judge