

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3308 of 2015**

Pankaj Markande S/o Aghanuram Markande Aged About 23
years R/o Sardar Badi Road, Umarpoti, Police Station Utai,
District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station - Purani Bhilai, District Durg Chhattisgarh

---- Respondent

For Applicant:	Shri Goutam Khetrapal, Advocate.
For Respondent/State:	Shri Om. P. Sahu, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.99/2015 registered at Police Station Purani Bhilai, District Durg for the offences punishable under Sections 394,397 & 342 of Indian Penal Code and Sections 25 & 27 (wrongly mentioned as 27/27) of Arms Act.

(2) Case of the prosecution, in brief, is that applicant and other co-accused persons alleged to have committed dacoity in the Union Bank of India, Bhilai, Branch Charoda, Bhilai on

25.02.2015 and looted Rs. 11,09,960/- and also assaulted the bank employees by knife and pistol and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that on the basis of memorandum of co-accused, he has been arrested; and he was outside of the bank at the time of offence and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State submits that the applicant was actively participated in the offence in question as the amount of Rs. 22,000/- & one knife have been recovered from the possession of the applicant.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which the applicant & other co-accused have committed dacoity in the Nationalized Bank and looted huge money i.e. Rs. 11,09,960/-; and the prima facie evidence brought by the prosecution against the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-