

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.812 of 2016

1. Rahul Kumar Barman, S/o Ramanand Barman, aged about 23 years, R/o Village Mudpar, P.S. Seepat, District Bilaspur (C.G.)
2. Gorakh Kurre, S/o Gendram Kurre, aged about 35 years, R/o Thagbahara, P.S. Baloda, District Janjgir-Champa (C.G.)
3. Rajendra Banjare @ Golu, S/o Ramulal Banjare, aged about 24 years, R/o Village Rampur, Awaspara, Chowki Hardibazar, P.S. Kusmunda, District Korba (C.G.)
4. Kirtan Lal @ Chhotu, S/o Dhan Singh Rohidas, aged about 33 years, R/o Village Rampur, Awaspara, Chowki Hardibazar, P.S. Kusmunda, District Korba (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Dipka, District Korba (C.G.)

---- Non-applicant

For Applicants:	Mr. Govind Ram Miri and Mr. Basant Kaiwartya, Advocates.
For Non-applicant:	Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board01/03/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.141/2015, registered at Police Station Dipka, Distt. Korba for the offence punishable under Section 394 read with Section 34 of the IPC; 3 and 7 of the Essential Commodities Act.
2. Case of the prosecution, in brief, is that the applicants have allegedly stolen/looted 300 litres of diesel from Dipka Mines of South Eastern Coalfields Limited and also caused voluntary hurt to the

security personnel while looting the diesel, and thereby committed the offence.

3. Learned counsel for the applicants submits that the applicants have not committed any offence, they have been falsely implicated in the case and they are in custody since 17-11-2015, 13-12-2015 and 21-12-2015. He further submits that there is no evidence to connect the applicants with the offence in question. Charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, taking into consideration the nature and gravity of offence, role of the present applicants, the manner in which the applicants have looted/stolen diesel and assaulted the security personnel, I am not inclined to grant bail to the applicants. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge