

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3693 of 2016

- Subhash Panda S/o Shri Pramod Panda Aged About 25 Years
Occupation Agriculturist, R/o Village Ektaal, P.S. Chakradhar
Nagar, Raigarh, Tahsil & District Raigarh, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Officer Of The
Police Chowki Jutemill, P.S. Kotwali, District Raigarh,
Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Abhishek Saraf, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 1006/2015 registered at P.S. Jute-mill, P.S. Kotwali, Distt. Raigarh (C.G) for the offence punishable under Section 394, 395, 397 of IPC.
2. As per the prosecution case, on 17.12.2015 one Ravindra Nath after withdrawing the amount of Rs.6,20,000/- was coming. At that time the applicant along-with other accused intercepted the complainant and looted the bag of Rs.6,20,000/-, thereby the offence is committed.
3. Learned counsel for the applicant submits that a test identification parade was carried out on 14.03.2016 wherein the applicant was not identified. He also submits that the charge sheet has been filed against six persons and only recovery of cash was made from the applicant, therefore, the

applicant has been falsely implicated in this case. He further submits that the applicant is in jail since 09.01.2016, and looking to the period of detention he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of victim which shows that when the cash bag was looted it contains the driving licence, PAN Card etc. Subsequently the documents would show that from the possession of the present applicant, the driving license PAN Card etc., were recovered alongwith cash.
6. Considering the facts and circumstances of the case and taking into such recovery made from the applicant, I am not inclined to release him on bail. Accordingly, this bail application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE