

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8559 of 2016

Shankarjeet Singh, S/o. Ramsagar Singh, aged about 26 years, R/o. Village-Bhanoura, Police Station – Balrampur, District – Balrampur-Ramanujganj (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : the Police Station – Pasta, District – Balrampur - Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Mr. V.K. Pandey, Advocate
For Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

09/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.39/2016, registered at Police Station- Pasta, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 394 of Indian Penal Code.
2. Case of the prosecution in brief is that on 15.07.2016, a truck bearing No.C.G.-15-AC-2235 after loading Clinker was going to Aurangabad when it reached near Semarsot forest at that time, the applicant along with other came into Maruti car and looted Rs.21,000/- and other documents. Thereby committed the offence.
3. Learned counsel for the applicant submits that the complainant and the seizure witnesses in this case have been examined before the Court below and they have not supported the case of the prosecution and only the cash was recovered from the possession of the applicant and the witnesses have not supported the case against the present applicant. Therefore, the counsel prays that the applicant may be

enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that complainant- Sonu and seizure witnesses Madanram and Ramashankar @ Nandu have not supported the case against the present applicant.
5. Considering the nature of allegation and further considering the fact that only cash has been seized from the present applicant, which is not supported by the witnesses. Taking into such fact, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge