

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8593 of 2016

Mater @ Mataru Pawar, S/o. Raj Kumar Pawar, Aged About 27 Years, R/o. Borkhedi, Police Station- Buttibori, District Nagpur, Maharashtra.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Out Post Chichola, Police Station Chhuriya, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Tarun Dansena, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2017

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.99/2015 registered at Out Post- Chichola, Police Station- Chhuriya, District Rajnandgaon (C.G.) for the offence punishable under Sections 394, 395, 397, 427 of Indian Penal Code and Section 25 & 27 of Arms Act.
2. Case of the prosecution, in brief, is that the applicant was arrested for involvement in the commission of loot made on 21.06.2015 as they looted gold ornaments and cash total worth Rs.1,20,000/-. It is further case of the prosecution that Betab, Ranjeet and others committed the crime along-with the present applicant and Betab and Ranjeet after being arrested on their memorandum, the applicant and others have been named.
3. Learned counsel for the applicant would submit that two accused Nitesh and Annanas have been enlarged on bail on 01.12.2015 in

MCRC No.6439 of 2015 and the case of the present applicant is similar to that of the other accused who have been granted bail, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the present applicant was absconding and he has been arrested recently on 22.10.2016 and TIP is yet to be conducted for which the notice has been issued.
5. Perused the case diary and the documents. It appears that the case of the present applicant is entirely different with that of other accused Nitesh and Annanas who have been enlarged on bail as the applicant firstly was absconding and TIP is still to be conducted. Considering these facts and the fact that the applicant was absconding, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge