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**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9371 of 2018**

- Agnikant Burman @ Vickky S/o Bhagwan Das Burman Aged About 33 Years Caste- Sonar, R/o Village- Dagapara Baliyapur, Police Station- Baliyapur, District- Dhanbad, Jharkhand.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Police Station- Ambikapur, District- Surguja, CG

---- Respondent

**MCRC No. 9596 of 2018**

- Pintu Kumar S/o Bhagwan Das Aged About 30 Years R/o Village Gangasaray Badaiya, Police Station Badaiya, District Lakhisarai (Jharkhand) At Present R/o Hatiya, At The Rented House Of Mandir Munna Mareshiya, Kutki, Police Station Kutki, District Dhanbad Jharkhand

---- Applicant

**Versus**

- State Of Chhattisgarh Through The Police Station Ambikapur District (Revenue And Civil) Surguja Chhattisgarh

---- Respondent

**MCRC No. 9763 of 2018**

- Harendra Singh @ Master Ji S/o Late Nanku Singh Aged About 40 Years R/o Village- Kolpurva, Police Station- Barvadih, District- Latehar, Jharkhand. Presently R/o Abadganj, Police Station- Sadar Daltonganj, District- Palamu, Jharkhand.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For applicant Agnikant Burman @ Vickky  
 For applicant Pintu Kumar  
 For applicant Harendra Singh @ Masterji  
 For Respondent/State

Mr. Bhupendra Singh, Adv.  
 Mr. V.K. Pandey, Adv.  
 Mr. Nishikant Sinha, Adv.  
 Mr.

**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****8-1-2019**

1. As all the above three bail applications arise out of same crime number of same police station, they are being disposed of by this common order.

2. M.Cr.C. No. 9763/2018 and MCRC No. 9596/2018 are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants Harendra Singh alias Masterji and Pintu Kumar respectively before this Court and their no bail application is pending before any other court.
3. MCRC No. 9371/2018 is second bail application under Section 439 of the Cr.P.C. preferred by the applicant Agnikant Burman @ Vickky before this Court. His earlier bail application being MCRC no. 6090/2018 was dismissed for want of prosecution vide order dated 6-10-2018.
4. The applicants have been arrested in connection with Crime No. 7/2017 registered in police station Ambikapur, Distt. Surguja (CG) for offence punishable under Section 395, 397, 412, 120(B), 201 of the IPC and Section 25 and 27 of the Arms Act.
5. Perused the case diary.
6. Prosecution story in brief is that on 4-1-2017 in the Manippuram Gold, branch Bramharoad, Ambikapur, a dacoity was committed and 20 kg gold worth Rs. 2,50,00,000/- and a cash of Rs. 1,54,000/- was looted by the dacoits. It is the allegation against the applicants Agnikant Burman @ Vickky and Pintu Kumar that they knowingly that the gold is subject matter of the dacoity purchased 200 gms and 40 gms respectively from co-accused persons. On the memorandum of applicant Agnikant Barman @ Vickky, some golden ornaments have been seized from him. On the memorandum of applicant Pintu Kumar, 20 gms. melted gold piece have been seized from him. On the memorandum of applicant Harendra Singh @ Masterji, 20 gms melted gold piece was seized from him.
7. Counsel for the applicants argued that the applicants are innocent and falsely implicated. Shri Bhupendra Singh, Adv. appearing for applicant

Agnikant Burman further submitted that one co-accused Ranjit Soni has been granted bail by this Court. On the basis of alleged seizure of 20 gms gold, the applicant Agnikant Burman cannot be connected with the crime. Five months prior he had made complaint against co-accused Nityanand Pandey. Shri Nishikant Counsel appearing for applicant Harendra Singh alias Masterji argued that the alleged seized gold piece belongs to the applicant and it is not the property of dacoity. It is submitted on behalf of all the applicants that the applicants may be released on bail.

8. On the other hand, the State Counsel opposed the bail applications. However he submits that no criminal antecedent of the applicants is reported in the police case diary.
9. Prima facie it does not appear that applicant Agnikant Burman alias Vickky, applicant Pintu Kumar are bonafide purchaser, allegedly the gold was melted, prima facie identification has no value. Co-accused Ranjit Soni was granted bail by this Court on the ground that he had disappeared the evidence relating to the robbed property. No seizure was made from him. These cases are total different from that of co-accused Ranjit Soni.
10. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, the huge quantity of gold looted in the dacoity, and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
11. Consequently, the MCRCs are dismissed.

**Sd/-**  
**(Sharad Kumar Gupta)**  
**Judge**