

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.430 of 2020

- Umend Chand Sankhala, S/o Prem Raj Sankhala, Aged About 62 Years, R/o Meelpara, Ward No.38, Durg, District Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The District Magistrate, Durg, District Durg, C.G.

---- Respondent

For Applicant
For Respondent

Shri T. K. Jha, Advocate
Shri Gagan Tiwari, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

30/06/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Crime No.16/2020, registered at Police Station Bhilai Bhatthi, District Durg (C.G.), for the offence punishable under Sections 380 & 120-B of IPC.
2. The applicant along with co-accused persons have hatched criminal conspiracy and committed theft of copper cable wire kept at the TPL Outpost of BSP Rolling Mill. The theft of 10 drums of copper wire was committed on 06.01.2020. The copper wire was unloaded at the dilapidated building near B. M. College belonging to the present applicant. In the memorandum statement of co-

accused Shyam Kumar Singh, Dipak Kumar Gupta, Abhishek Kumar, Ramesh Singh, Sanjay Kumar Sainik, Premanand Sahu and Manoj Kumar, all of them have stated that after unloading the copper wire at the location belonging to the present applicant, the copper wire was cut into pieces and the co-accused persons received amount from the present applicant. While Shyam Kumar Singh has admitted to have received Rs.50,000/-, Dipak Kumar Gupta has been paid Rs.3 Lakhs, Abhishek Kumar Rs.50,000/-, Ramesh Kumar Singh Rs.5 Lakhs, Sanjay Kumar Sainik Rs.2 Lakhs, Premanand Sahu Rs.50,000/- and Manoj Kumar has been paid Rs.3 Lakhs.

3. Even if the actual theft has been committed by the co-accused persons, the fact remains that the applicant has paid huge amount to the co-accused persons for purchase of copper wire belonging to the BSP Rolling Mill, a government property, this Court is not inclined to extend benefit of anticipatory bail to the applicant.
4. Accordingly, the anticipatory bail application is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Nirala