

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2999 of 2020**

Churawan Das Mahant @ Sanjay S/o Amrit Das Mahant Aged About 24 Years R/o Vill. Anjoripali And Tahsel Kharsia District Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Dabhra, District Janjgir-Champa Chhattisgarh.

---- Respondent

For the Applicant : Shri Ajay Ayachi, Advocate.
For the Respondent/State : Shri Animesh Tiwari, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.06.2020**

Heard.

1. This is the third bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 1.9.2017 in M.Cr.C. No. 4819 of 2017 and the second bail application was again dismissed as withdrawn by this Court on 8.5.2018 in M.Cr.C. No. 2733 of 2018 and a direction was given by this Court to the trial Court to expedite the trial and complete it within a period of six months. The applicant has been arrested in connection with Crime No.10 of 2017, registered at Police Station Dabhra, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 364A and 394/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail

since 20.1.2017 and has been falsely implicated in this case. The trial against the applicant is getting delayed as the witnesses are not turning up. One of the co-accused, namely, Satyendra Kumar Sarthi @ Chotu has been enlarged on bail by this Court in M.Cr.C. No.8032 of 2019 vide order dated 2.1.2020 and the case of this applicant is also similar in nature. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that some of the looted property has been seized from the possession of this applicant. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, this applicant alongwith the co-accused persons abducted the complainant and then after beating him they looted the cash and other things from his possession. Some articles have been seized from the possession of this applicant.

6. Considering the fact that one of the co-accused has been granted bail by this Court, the case of this applicant is also similar in nature and the case is pending for trial for about more than three years, therefore, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge