

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5098 of 2020**

- Uttam Chakravarty son of Shri Sameer Chakravarty, aged about 29 years, resident of Gandhi Nagar, Pandri, Police Station Civil Line, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Vidhan Sabha, District Raipur (C.G.)

---- Respondent

For Applicant : Shri C.R. Sahu, Advocate.
For Respondent. : Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/09/2020**

1. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 15.06.2020 in connection with Crime No.143/2020 registered at Police Station : Vidhan Sabha, District Raipur (C.G.) for the offence punishable under Sections 365, 392, 342 IPC and Sections 25 and 27 of Arms Act.
2. The allegation against the present applicant is that on 15.06.2020 at 00.30 AM, he committed loot of complainant's truck bearing registration No.CG-04-MA-9834 as also case of Rs.1200/- and also abducted conductor of the truck. Based on this, offence has been registered. The present applicant is in custody since 15.06.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He also submits that only Rs.1200/- has been looted from the complainant. He further submits that the

applicant is in jail since 15.06.2020 and there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposing the bail application submits that the applicant looted fully loaded truck of the complainant in which articles worth of Rs.13,00,000/- was there and the complainant has identified the applicant in test identification parade.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the quality of evidence, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge