

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7395 of 2020**

- Pawan Kumar Baghel S/o Late Faguram Baghel Aged About 18 Years
R/o Village Birgahani, Police Station Balauda, District Janjgir-Champa,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Janjgir, District
Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. N.K. Chatterjee, Advocate
For Respondent-State	:-	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**10/12/2020**

1. The applicant has preferred this application filed under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No.217/2020 registered in Police Station Balauda, District Janjgir- Champa C.G. for the offence punishable under Section 395 of the I.P.C.
2. Applicant along with four other accused persons has allegedly stopped trailer vehicle bearing registration No. CG 15 AC 3404 when the said vehicle loaded with coal was traveling from Kusmunda to Birgahani at 2:30 am on 27.08.2020. The accused persons armed

with club forced the driver to get down of the vehicle and looted Rs.5000/- and 50 litres of diesel.

3. Learned State counsel would oppose the bail application on the submission that bail application of co-accused Ajay Kumar Kurre bearing MCRC No.7392 of 2020 has been withdrawn before the Co-ordinate Bench. He would also submit that applicant has criminal antecedent of committing another offence.
4. Having heard learned counsel for the parties and on going through the material available, it is manifest that the criminal antecedent of the applicant is not for committing any heinous offence or any similar offence. The applicant has committed loot of Rs.5000/- and 50 litres of diesel; he is a young boy aged about 18 years; he is in jail since 26.08.2020; the charge sheet has already been filed; and also for the fact that the bail application of the co-accused has not been decided on merits, this Court is inclined to release the applicant on bail.
5. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge