

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6522 of 2020

- Devraj Majumdar S/o Nitai Majumdar Aged About 33 Years By Caste Namoshudra, R/o Village P.V. 37, Rupnagar, Thana And Tahsil Pakhanjore, Distt. U.B. Kanker (Chhattisgarh)

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Pakhanjore, Distt.- U.B. Kanker (Chhattisgarh)

---- Respondent

MCRC No. 6572 of 2020

- Shishir Mandal, S/o Nanigopal Mandal, Aged About 30 Years By Caste Namoshudra, R/o Village P.V. 25, Ramkrishnapur, Thana And Tahsil Pakhanjore, District U.B. Kanker Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh, Through Police Station Pakhanjore, District - U.B. Kanker Chhattisgarh

---- Respondent

For Applicants : Mr. Parag Kotecha, Advocate

For Respondent : Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.12.2020

1. Since both these bail applications are arising out of the same crime number, therefore they are being heard and decided together by this common order.
2. The applicants have preferred these applications u/s 439 of Cr.P.C. for grant of bail as they are arrested on 23.06.2020, 22.06.2020 in connection with Crime No. 63/2020 registered at Police Station Pakhanjore District U.B. Kanker for offence punishable under sections 392, 457 and 34 of IPC.
3. As per the prosecution case on 22.06.2020 the applicants along with other co-accused entered into the house of complainant

namely Rewa Bagchi who is aged about 65 years and robbed gold chain and Rs. 20,000/- and subsequently gold chain was recovered from Devraj Majumdar, which was identified and Rs. 2,000/- was recovered from Shishir Mandal.

4. Learned counsel for the applicants would submit there is no identification and only on the recovery of ordinary gold chain and cash, the applicants have been inculpated. Therefore, he prays that the applicants may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perusal of case dairy would show that one of the co accused Amit is still absconding and as per statement of Shishir Mandal the part of chain was with Amit (other co-accused) and with respect to Devraj the gold chain was recovered. Considering the same, I am not inclined to release the applicants on bail.
7. Accordingly, both the bail applications are dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti