

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7544 of 2020**

Satish Soni S/o Late Arjun Prasad Soni, aged about 23 years R/o Village Sapkara, P.S. Tahsil & District Surajpur (C.G.).

**---- Applicant**

**Versus**

State of Chhattisgarh through In Charge of Police Station Surajpur, District Surajpur (C.G.).

**---- Respondent**

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| For Applicant  | : | Ms. Priyanka Mehta, Advocate             |
| For Respondent | : | Ms. Fouzia Mirza, Addl. Advocate General |

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S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

**Order on Board**

**11/12/2020**

Heard.

1. The applicant is arrested in connection with Crime No. 298/2020 registered in Police Station Surajpur, District Surajpur (C.G.) for alleged commission of offence under Sections 394, 427, 34 of the Indian Penal Code.
2. Case of the prosecution is that when the Complainant came to intervene in an ongoing dispute between the applicant and another person, the applicant assaulted the Complainant, and as alleged he also looted his vehicle.
3. Learned counsel for the applicant would submit that the applicant has not committed the offence. The allegations are exaggerated. She would further submit that the manner in which the dispute arose clearly shows that the dispute between the applicant and the complainant arose only when the complainant sought to intervene in an ongoing

dispute between the applicant and third person. The allegation of looting the vehicle is fabricated.

4. Learned counsel appearing on behalf of the State opposes the bail application by submitting that the applicant had assaulted the deceased and also looted his vehicle, and later on the truck was seized and the applicant was found carrying the truck, therefore, prima-faice case of loot is made out against the applicant.
5. Considering the submissions made by counsel for the parties, particularly taking into consideration the genesis of dispute and further taking into consideration that investigation has completed, charge-sheet has been filed and the applicant is in jail since 26/07/2020, I am inclined to grant bail to the applicant.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
  - i. If the applicant is found involved in an offence of theft or robbery in the future, the bail granted in this case shall be liable to be canceled.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
Judge