

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7718 of 2020**

1. Sunil Mishra S/o Shri Suresh Mishra Aged About 27 Years R/o Sevta Para, Ward No. 07, Dongargaon, Police Station Dongargaon, District : Rajnandgaon, Chhattisgarh
2. Karan Mishra S/o Shri Suresh Mishra Aged About 22 Years R/o Sevta Para, Ward No. 07, Dongargaon, Police Station Dongargaon, District : Rajnandgaon, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ambagarh Chowki, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Dipali Dubey, Advocate.
For State	:	Mr. K.K. Singh, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/12/2020**

Heard.

1. The applicants have moved this application for grant of bail as they are arrested in connection with Crime No.149/2020 registered at Police Station- Ambagarh Chowki, District : Rajnandgaon, C.G. for the alleged commission of offence under Sections 394, 395, 341, 120(B), 506 & 34 of IPC.
2. Prosecution case is that the applicants and co-accused obstructed the complainant on way, when he was going on motorcycle with large quantity of jewellery in his possession. Thereafter, the applicants looted jewellery of approx Rs.11,54,000/- and the motorcycle also.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated only on the basis of suspicion. A false seizure of jewellery has been made from the applicants to make out a case. They have not been identified by the victim in any test identification parade. It is next submitted that investigation is complete and charge sheet has been filed, therefore, the applicants may be granted bail.

4. On the other hand, learned State Counsel opposes and submits that from the possession of the each of the applicant, huge quantity of looted jewellery has been recovered in the presence of independent witness and the victim has identified recovered jewellery. It is next submitted that the applicants, on the basis of identification and recovery of looted article, are *prima facie* involved.
5. Considering the submissions of learned counsel for the parties and the material collected in the charge sheet against the present applicant, particularly taking into consideration the recovery and identification of looted jewellery, present is not a fit case for grant of bail.
6. The bail application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Ravi