

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 363 of 2021

Dev Kumar Sahu S/o Panchram Sahu Aged About 21 Years R/o Bamhani, Police Station Chhura, District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For applicant – Shri Manoj Paranjpe, Advocate.
For Respondent/State –Shri Siddharth Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/07/2021

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.136/2020 registered at Police Station Fingeshwar, District Gariyaband (C.G.) for offence punishable under Sections 411, 409, 407, 420, 467, 471, 414, Section 34 of IPC read with Section 3 & 7 of Essential Commodities Act, 1955.
2. As per the prosecution case, the applicant was working as a sales man of Aadim Jati Seva Sahkari Samiti Raniparteva of fair price shop, Akalwara. A truck bearing registration number CG 04 JA 4727 were intercepted and found that 20 quintals of rice and 50 quintals of gram was loaded for which no valid documents were produced. Those goods were meant for public distribution system, thereby have misappropriated and committed theft.
3. Learned counsel for the applicant submits that similarly placed co-accused have been enlarged on regular bail and no further custodial interrogation would be required, therefore the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that the present applicant is absconding, therefore reserving the right under sub section 8 of Section 173 of Cr.P.C. charge sheet has been filed.

5. Considering the fact that the applicant is absconding till date, charge sheet has been filed in his absence and specially considering the nature of allegation, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE