

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2745 of 2021

1. Ajay Dewangan S/o Mohan Lal Dewangan Aged About 35 Years R/o Shastri Nagar, Fokatpara, Police Station - Devendra Nagar, Raipur, District Raipur Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station - Mandir Housad, Distict – Raipur Chhattisgarh

---- Respondent

For Applicants	Mr. Shivendu Pandya, Advocate
For Respondent /State	Mr. Vikram Sharma, Dy. Govt. Adv.

(Proceedings through Video Conferencing)Order on BoardByPrashant Kumar Mishra, Ag. CJ7/7/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.193/2020, registered at Police Station Mandir Housad, District Raipur (CG), for the offence under Section 395/34 of the Indian Penal Code.
3. Applicant along with co-accused Kuldeep Singh, Uttam Chakravarty, Jeetu Paan and Rakhi Rana have committed dacoit and looted the truck, which was abandoned on the highway and recovered from there.

4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. In M.Cr.C.No.7380 of 2020 bail application of co-accused Kuldeep Singh has been rejected on the ground that incriminating articles have been recovered from him and he has been identified, however, in M.Cr.C.No.9013 of 2020 coordinate Bench has allowed the bail application of co-accused Uttam Chakravarty in the same common order dated 21-1-2021, on the ground that Uttam Chakravarty has neither been identified nor any recovery has been made from him. Albeit recovery of car has been made from this applicant, but the same is not the looted article. The car belonging to the applicant was used in reaching to the place of occurrence, therefore, it has been recovered from him.
6. Considering the entire facts situation of the case, further considering the fact that case of the present applicant is similar to the case of Uttam Chakravarty; as also for the fact that the applicant is in jail since 5-7-2020 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs.50,000/- with one surety in 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.
8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri