

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1445 of 2021**

1. Shivkumar Patel S/o Late Kanhaiya Patel, Aged About 46 Years R/o Village Kharakona, P.S. And Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
2. Mukesh Patel, S/o Late Dinesh Patel, Aged About 25 Years R/o Village Mohanpur, P.S. Darima, District Surguja, Chhattisgarh Present R/o Gangapur, Ambikapur, P.S. Gandhinagar (Dehat) District : Surguja (Ambikapur), Chhattisgarh --- **Applicants**

Versus

State of Chhattisgarh through Police Station Lundra, District : Surguja (Ambikapur), Chhattisgarh --- **Respondent**

For the applicants : Mr. Akath Kumar Yadav, Advocate
 For the Respondent : Mr. Ashish Tiwari, Govt. Advocate

MCRC No. 2160 of 2021

Ravi Ghasi S/o Late Amar Ghasi, Aged About 30 Years By Cast Ghasi R/o Village Jheradih, P.S. Lundra, District : Surguja (Ambikapur), Chhattisgarh --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police Station Lundra, District Surguja, District : Surguja (Ambikapur), Chhattisgarh --- **Respondent**

For the applicant : Mr. Sanjay Pathak, Advocate.
 For the Respondent : Mr. Ashish Tiwari, Govt. Advocate

MCRC No. 2345 of 2021

Mo. Shahbaj Firdoushi @ Monti S/o Abdul Jabbar Aged About 24 Years R/o Village Bargidih, Police Station And Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer , Police Station Lundra , District : Surguja (Ambikapur), Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Jitendra Shrivastava, Advocate.
For the Respondent	:	Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.07.2021

1. These are first bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 142/2020 registered at Police Station Lundra, District Sarguja (C.G) for the offences punishable under Sections 395, 506-B of IPC and sections 25 & 27 of the Arms Act.
2. As per the prosecution case, on 29.11.2020 at 5.30 p.m., the applicants Shiv Kumar patel, Mukesh Patel, Ravi Ghasi & Mohd. Shahbaj Firdoushi @ Monti came to the shop of complainant by motorcycle and they firstly asked for the petrol which was given by the complainant and thereafter when the doors of the shops were opened, they have forcibly entered and committed dacoity and looted Rs.3,98,000/- in cash and other jewelery worth Rs.1,50,000/- (total Rs. 5,08,000) from the shop and the house of complainant.
3. Learned counsel for the applicants submits that only on the memorandum statement, the applicants have been arrested and thereafter Pistol (Katta) was seized from Shiv Kumar, one mobile was seized from Mukesh Patel and one motorcycle from Ravi Ghasi and another Bike from Shahbaj Firdoushi were seized and except that, nothing has been on record to show that the recovery of looted money or jewellery has been made. He further submits that the

applicants are in jail since 06.12.2020 and the charge sheet has been filed, therefore, they may be released on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the applicants have past antecedents of major criminal offences to their credit including offences u/s 302, Dacoity etc. He submits that against applicants Shiv Kumar and Shahbaj Firdoushi, several cases stand registered against them. It is submitted that all the accused have been identified by complainant Abhay Gupta.
5. Considering the fact that all the accused have been identified and looking to the past antecedents of the applicants, I am not inclined to allow the bail applications. Accordingly, the bail applications are rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**