

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4145 of 2021

- Raushan Kumar S/o Ravindra Sharma, Aged About 22 Years R/o Village Nagvan, Post Bishnuganj, P.S. Ghoshi, District Jahanabaad, Bihar.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Dharsiwan, District Raipur Chhattisgarh

---- Respondent

For Appellant	—	Mr. N. Naha Roy, Advocate
For State	-	Mr. Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.08.2021

1. This is the second bail application filed under Section 439 of CrPC for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 223/2020 registered in Police Station Dharsiwa Distt. Raipur (C.G.) for offence punishable under Sections 341, 394, 395, 397, 398, 412, 506, 34 of Indian Penal Code 1860 and Sections 25 & 27 of the Arms Act 1925. Earlier, the first bail application was dismissed on 05.01.2021.

2. As per the prosecution case, on 24.06.2020, a report was made by one Rana Banjare that on 23.06.2020 the truck bearing No.C.G.04 JC 8440 was loaded with 25 tons of Iron plates worth Rs.7,50,000/- at Prakash Industries Janjgir Champa and was going to Raipur in the night. On the way, at Dharsiwa, the applicants who came in a Scorpio vehicle threatened the complainant and looted the truck along-with the loaded iron plates and also looted cash of Rs.16,500/- from him.

3. Learned counsel for the applicant submits that the applicant is in jail since 25.06.2020, considerable time has been passed and no progress in the trial is taking place, therefore he may be enlarged on bail.

4. Per contra, learned State counsel opposes the bail application.

5. Having considered the fact that the earlier bail application was dismissed on merits, the nature of allegation against the applicant, I do not find that the considerable detention period has passed. Taking into the gravity of the offence, no change of circumstances come to fore to be considered, therefore, I am not inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. stands dismissed.

6. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

Judge

Vishakha