

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7737 of 2021**

- Palvinder @ Pintu S/o Lakhwinder Singh Aged About 30 Years Kapleshwar Nagar Ward No. 16 Bargarh, Police Station Bargarh, District Bargarh, Odisha.

---- Applicant

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station-Dharamjaigarh, District- Raigarh, Chhattisgarh

---- Non Applicant

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|-------------------------|---|------------------------------|
| For the Applicant       | : | Shri Sunny Agrawal, Advocate |
| For Non Applicant/State | : | Ms. Smita Jha, Panel Lawyer  |

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**Hon'ble Shri Justice Narendra Kumar Vyas****Order On Board****27.10.2021**

1. Heard.
2. This is a third application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.174/2020, registered at Police Station Dharamjaigarh, District – Raigarh for the offence punishable under Sections 392, 342 & 120-B of the I.P.C, 1860.
3. Earlier, the first bail application was dismissed as withdrawn with liberty to move at an appropriate stage vide order dated 04.02.2021 while the second bail application was dismissed on default vide order dated 23.07.2021.
4. Applicant and two other absconding accused persons have committed loot of 25.040 tons of TMT bar amounting to Rs. 9,83,670/-. The above said quantity of TMT bar was transported from Ajay Rolling Mill, Punjipatra to Ambikapur bearing truck no.C.G.-15-AC-1905.
5. Driver of the truck namely; Mohd. Naushad Ansari was stopped on the way near Dharamjaigarh and after making him unconscious by spraying some anesthetic liquid over his face the truck was taken to a

place near Basna, Saraipali and the entire load of TMT bar was unloaded and was sold by the accused persons. Applicant has revealed in his memorandum statement that he along with other accused persons has committed loot.

6. Learned State counsel would oppose the prayer for grant of bail.
7. Considering that the offence are triable by JMFC and the applicant is in jail since 14.10.2020, i.e., for about 12 months and it may take some more time to conclude the trial and further considering the fact that the other co-accused who has already been granted vide order dated 15.09.2021 passed by Co-ordinate Bench of this Court in MCRC No.5856 of 2021, and also the fact that the applicant is in jail since 14.10.2020, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed by applicant is allowed and it is directed that applicant shall be released on his furnishing a personal bond in the sum of Rs.50,000/- with two local sureties of Rs.25,000/- each for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.
9. It is made clear that applicant will not involve himself in any offence of similar nature in future, otherwise bail granted to him shall be liable to be cancelled without further reference to the Bench.

Certified copy as per rules.

Sd/-

**(Narendra Kumar Vyas)**

Judge

*Parul*