

MCRC No. 7777 of 2020

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7777 of 2020

- Pankaj Rai S/o Satish Rai Aged About 33 Years R/o Katulboard , Pension Wara, Durg, District Durg Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through, SHO Police Station Pulgaon, District Balod Chhattisgarh

---- Respondent

For Applicant	Mr. BP Singh, Advocate
For Respondent /State	Mr. Arjiti Tiwari, Panel Lawyer

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra
Order On Board

3/2/2021

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.34/2020 registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Sections 394, 397, 34 of the IPC.
3. Complainant Kunjlal Sahu loaded GI wire valued at Rs.11 lakhs from Raipur and was proceeding towards Hyderabad on 23.1.2020. When he reached near Anjora, the present applicant along with co-accused Roshan Kumar Yadav stopped & boarded

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the truck and assaulted him by saying that he has committed *marpeat* in the hotel. Complainant Kunjlal Sahu ran away leaving the vehicle on the spot, which was subsequently brought by the accused persons to their Dhaba at Nehru Nagar, Bhilai. The vehicle along with goods were recovered in the same night.

4. It appears, the main dispute was about assault on Kunjlal Sahu. Had there been any intention of committing the loot, the applicant would have driven the vehicle to a far away destination and disposed of the GI wire.
5. Considering the entire facts situation of the case and for the fact that the applicant is in jail since 24.1.2020 i.e. for last more than one year and the charge sheet has already been filed, I am inclined to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing 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.
7. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge