

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUROrder Reserved on 10.12.2020Order Delivered on 06.01.2021MCRC No. 8261 of 2020

- Anand Patel S/o Manharan Patel Aged About 25 Years R/o Pamgarh, Police Station Kharsiya, District Raigarh Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:-	Mr. Shailendra Dubey, Advocate
For Respondent-State	:-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar MishraCAV Order

1. Heard.
2. This is the **third bail 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. 98/2020 registered at Police Station Gharghodha, Distt. Raigarh C.G. for the offence punishable under Sections 457, 506, 323, 342, 395 of the I.P.C.
3. The first bail application was dismissed on 27.08.2020 in MCRC

No.3499 of 2020 by a detailed order on merits. The second bail application was also dismissed on 01.10.2020 in MCRC No.6474 of 2020.

4. While deciding the first bail application on merits, it is clearly mentioned that the accused persons are part of gang of ten persons, who have committed loot/ dacoity of copper wire valued at Rs.17 Lakhs from the possession of New Modern Technomac Private limited company which was engaged by the Indian Railways for carrying out railway track electrification work from Kharsiya to Dharamjaigarh. The loot/ dacoity was carried out with the help of security guard of the Company, who is also an accused.
5. Although, the applicant is in detention since 15.05.2020, but the offence under Section 395 of IPC is triable by the Sessions Judge and it is not petty offence triable by the JMFC. There being no change in the circumstances, this Court is not inclined to grant bail to the applicant.
6. Accordingly, the **third bail** application is rejected.

SD/-
(Prashant Kumar Mishra)
Judge