

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7979 of 2021

1. Ajeet Chouhan @ Dileep @ Bhuiya, S/o Sitaram Chouhan, Aged About 30 Years, R/o Village Loyabaad, 07 Number, Dhanbaad, P. S. Loyabaad District Dhanbaad, Jharkhand
2. Ajay Singh @ Vishal @ Bhagirathi @ Guruchero, S/o Lakhan Singh @ Lakhan Chero, Aged About 26 Years, R/o Gali No.04, Loyabaad, P.S. and District Dhanbaad (Jharkhand) Presently R/o Patariya P. S. Chainpur District Palamu (Jharkhand) (Guru Cheri is wrongly mentioned in Annexure-A/1).

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, PS Ambikapur, District Surguja, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Mr. N. K. Sinha, Advocate
Ms. Seema Dixit, PL

Hon'ble Justice Shri Deepak Kumar Tiwari

Order On Board

27/10/2021

1. The applicants have preferred this first bail application under Section 439 of CrPC for grant of bail, as they are arrested in connection with Crime No.07/2017, registered at Police Station Ambikapur, District Surguja for the offence punishable under Sections 395, 397, 201, 120 (B) of IPC and Section 25 (1-B) of the Arms Act.
2. The case of the prosecution in brief is that on 04.01.2017, a dacoity was committed at the Manapuram Gold Loan Branch, Ambikapur by the applicants and other co-accused persons and

12 kg of gold and cash of Rs.1,54,000/- was looted, thereby the applicants committed the offence.

3. Learned counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in the crime in question. He further submits that on the basis of the memorandum statement, no looted articles have been recovered from the applicants. The applicants are in jail since 27.06.2018 (applicant No.1) and 17.09.2018 (applicant No.2) and till date, only 14 witnesses, out of 42 witnesses, have been examined. The conclusion of the trial may take some more time, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, considering the seriousness of the crime and the role played by the present applicants and other co-accused in the crime, this Court is not inclined to release the applicants on bail.
7. Accordingly, the bail application is dismissed.

Sd/-
Deepak Kumar Tiwari
Judge