

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7148 of 2015

1. Mikhail @ Ashok Tigga, S/o Benjamin Tigga, Aged About 32 Years, R/o Village Jarda, Police Station Jari, District Gumla, (Jharkhand).
2. Anup Ajay Tirky, S/o Late Arsel Tirky, Aged About 25 Years, R/o Village Judwani, Police Station Chainpur, District Gumla (Jharkhand).
3. Vimal Kujur, S/o Bhinset Kujur, Aged About 25 Years, R/o Village Bartoli, Police Station Dumri, District Gumla (Jharkhand).

---- Applicants

Versus

The State Of Chhattisgarh, Through Station House Officer, Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

For Applicants : Mr. A.K.Prasad, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.66/2015, registered at Police Station- Jashpur, District Jashpur (C.G.) for the offence punishable under Sections 342, 395, 365 of Indian Penal Code and 25, 27 of Arms Act.
2. As per the prosecution case, in brief, the applicants went to the Plant of Vinod Jain wherein they assaulted the workers and looted Mobile Phone, cash of Rs.4500/- and Hero Honda Motorcycle and one Kayum Khan & Amrendra Singh were kidnapped and in execution of such crime, the country made Pistol & Knife were used.

3. Learned counsel for the applicants submits that the applicants have not been named in the FIR and they have been falsely implicated in this case because of the previous animosity and therefore, they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that the applicants have been identified, therefore, taking into the gravity of offence and the manner in which it has been committed and considering the degree of allegation, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge