

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5889 of 2015

- Deepak Tigga, son of Gloriys Tigga, aged about 25 years, caste Uraon, Resident of village Dumartoli, Police Station Raidih, District Gumla (Jharkhand). **--- Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Jashpur, District Jashpur (C.G) **---- Respondent**

For the applicant	:	Mr. Sanjeev Sahu, Advocate
For the Respondent	:	Mr. Ashok Swarnkar, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 160/2015 registered at P.S. Jashpur, District Jashpur (C.G) for the offence punishable under Sections 384, 386, 506-B, 507& 34 of IPC.
2. As per the prosecution case, on 04.06.2015 at about 8.30 p.m., the applicant along-with other co-accused went to the house of Pradeep Minj the complainant and thereafter demanded Rs.6 lakhs and subsequently the complainant was threatened on mobile phone. On a report being made, accused Sanjay Lakra was arrested and on his memorandum, the other accused have also been inculpated.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the applicant is in jail since 13.06.2015. He would submit that only a motorcycle has been seized from this applicant and he has not been identified by the Police and there is no evidence to this effect that the mobile calls were made by this applicant. He further submits that the motorcycle has also not been identified, therefore, virtually no offence against this applicant is made

out and prays for releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the applicant's motorcycle was seized and identification was made only with respect to one Sanjay Lakra who was one of the co-accused.
5. Having regard to the facts and evidence available against this applicant and the facts that he has been inculpated on the basis of memorandum statement of co-accused Sanjay Lakra as also considering the fact that neither the applicant nor the motorcycle is identified and looking the detention of the applicant as he is in jail since 13.06.2015, I am of the opinion that it is a fit case to enlarge the applicant on bail. Accordingly the bail application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE