

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 148 of 2016

1. Ramcharan Singh Gond, S/o Raghunath Singh Gond, Aged About 25 Years R/o Risagada, P.S. Kotadol, District - Korla Chhattisgarh
2. Ashish Tiwari S/o. Rajesh Tiwari, Aged About 23 Years R/o Bharatpur, P.S. Janakpur, District Korla Chhattisgarh

---- Applicants

Versus

State of Chhattisgarh Through The Station House Officer Police
Station Kotadol, District Korla Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Suresh Kumar Verma, Advocate
For Respondent/ State	:-	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/01/2016

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. 27/2015 registered at Police Station- Kotadol, District Korla (C.G.) for the offence punishable under Section 384,507, 34 of IPC.
2. Case of the prosecution, in brief, is that the applicants called the complainant on their mobile and demanded money and threatened the complainant that if the money is not paid then the complainant will face dire consequence and projected themselves to be Naxalite and further on called detail the applicants apprehended.
3. Counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the mobile was seized from the applicant was not in the name of the

applicants and no further evidence is required in this case, therefore, they may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, statement of the complainant and documents as also the charge sheet.
6. Having regard to the facts and circumstance of the case and the nature of offence and the degree of allegations levelled against these applicants and also the fact the applicants are in jail since 16.12.2015, this Court is inclined to release them on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge