

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 3752 of 2016**

1. F. Bushkin, S/o. M. Francis, aged 43 years, R/o. Camp-2 Chhavni,  
District – Durg (C.G.)

**----Applicant**

**Versus**

1. State of Chhattisgarh, Through : S.H.O. - Utai, District – Durg (C.G.)

**---- Respondent**

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For Applicant : Mr. Ajay Ayachi, Advocate

For Respondent/State : Ms. Shobha Kashyap, Govt Advocate

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**18/07/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.62/2016, registered at Police Station – Utai, District – Durg (C.G.) for the offence punishable under Section 507, 341, 384/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Devendra Kumar Chhatija while he was returning from his factory, a tree was kept across the road, when he stopped the car, three persons tried to chase him and started approaching with axe and he fled away after reversing the car. Subsequently he received a phone call of one Usman Ali and Rs.2.00 crores was demanded.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and in fact the applicant who wanted job went to the factory of the complainant and false allegation have been levelled since there is some dispute arose

between them. It is further submitted that charge sheet in this case has been filed and the applicant is in jail since 10.03.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Case diary shows that on the basis of the call details, the applicant is arrested and taking into the memorandum and the call details, the recovery of the mobile and voice, which was recorded, I am not inclined to release the applicant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge