

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2428 of 2016

1. Sahabuddin, S/o. Rojan, aged about 40 years, Caste - Musalmaan, R/o. Village-Kharwatoli, P.S. - Narayanpur, Tahsil – Kunkuri, District – Jashpur (C.G.), Civil and Revenue District – Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Narayanpur, District – Jashpur (C.G.)

---- Respondent

For Applicant	: Mr. A.K. Prasad, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/07/2016

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.115/2015, registered at Police Station – Narayanpur, District – Jashpur (C.G.) for the offence punishable under Section 120B, 386, 507, 467, 471, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused persons have demanded Rs.3,00,000/- stating that they are naxalite. Thereafter, it was planned and the applicant and other co-accused with the amount were caught red handed while executing the plan.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no incriminating circumstances are against the applicant and all the allegations are

attributed to other co-accused persons. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 25.10.2015, 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. Considering the allegation and the involvement of this applicant as the money was demanded stating that they are belonged to naxalite and phone call was made and in absence of fulfilling the demand, complainant was threatened to kill his family members. Taking into such allegation and the evidence available in this case, 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