

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2302 of 2016

- Mohd. Estehaque @ Nageshwar @ Aslam S/o Mujru Ansari Aged About 32 Years R/o. Dadgaon, P.S. & Tehsil - Jashpur, Civil & Revenue District - Jashpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through, Station House Officer, Telibandha, Revenue & Civil District - Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. Satish Chandra Verma, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.171/2014 registered at Police Station- Telibandha, District Raipur (C.G.) for the offence punishable under Sections 387 & 506 of the Indian Penal Code.
2. As per case of prosecution a report was lodged by complainant Vinod Jain that the applicant called on his mobile phone No. 94252-52525 from 08252228198, 09661514954, 07762845629 and 09835386030 and demanded Rs. 5,00,000/- from him, thereafter on being issuance of warrant of arrest he was arrested.
3. Learned counsel for the applicant submits that when the report was lodged at that time the applicant was inside the jail and has been falsely implicated in the case only on the ground of earlier cases and information. It is submitted that the applicant has already been released in the other cases and therefore he is being falsely implicated in the instant case.

4. Per contra, learned State counsel opposes the prayer for grant of bail and submits that apart from this case as many as 18 cases of heinous offences like dacoity, demand of ransom were registered against this applicant, therefore, he is not entitled to be released on bail.
5. Perused the case diary and the documents. Perusal of the case diary shows phone call details wherein certain calls were made from the alleged mobile numbers and further looking to the previous antecedent of the applicant that there were as many as 18 cases were registered against him, considering the facts and circumstances of the case and degree of allegations against the applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge