

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 507 of 2016

1. Jitendra Kumar Lahre, S/o. Muktawan Das Lahre, (name has wrongly mentioned in order of trial Court correct name is Shri Tulsidas Lahre), aged about 34 years, R/o. Village-Sonpuri (Rani), Kawardha, P.S. - Kawardha, District – Kabirdham (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, through Station House Officer, Utai, District – Durg (C.G.)

---- Respondent

For Applicant : Mr. Ajay Ayachi, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/08/2016

1. Apprehending arrest in connection with Crime No.62/2016 registered at Police Station – Utai, District – Durg (C.G.), for offence punishable under Section 507, 341, 384, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that a report was made by one Devendra Kumar Chhatija alleging that 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. Subsequently, one F. Bushkin was arrested and on his memorandum, it is revealed that the applicant was also working with said Bushkin.

3. Learned counsel for the applicant would submit that except the memorandum statement of F. Bushkin, no evidence is available against this applicant and the regular bail of F. Bushkin was rejected on the ground that voice sample was recorded whereas no evidence is existed against this applicant. It is further submitted that the applicant has been falsely implicated in this case. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Perused the memorandum statement of F. Bushkin, wherein the name of the present applicant appears. Taking into such fact, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge