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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2927 of 2018**

Bodhraj Singh S/o Devlal Singh Aged About 45 Years R/o Village Kurdih, P. S. Chando, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P. S. Samripath, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 3527 Of 2018**

Jattu Khairwar S/o Ghasi Khairwar Aged About 40 Years R/o- Kurdihh, Police Station- Chando, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through- Station House Officer, Police Station- Samripath, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 3562 Of 2018**

Sahadat Ansari S/o Suleman Ansari Aged About 28 Years R/o- Village Kurdih, Police Station Chando, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through- Station House Officer, Police Station- Samripath, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 3733 Of 2018**

Bigan Ram S/o Bhuneshwar Ram Aged About 19 Years R/o- Village Kurdih, Police Station Chando, District- Balrampur-Ramanujganj, Chhattisgarh, District : Balrampur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through- Station House Officer, Police Station- Samripath, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sunil Tripathi, Shri Rahul Mishra and Shri Arun Kumar Shukla, Advocates.
For the Respondent/State	:	Ms. M. Asha, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

18.06.2018

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.31 of 2017, registered at Police Station – Samripath, District – Balrampur-Ramanujganj, Chhattisgarh for the offence punishable under Sections 323, 386, 394, 395, 450 and 506 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

2. Learned counsel for the applicants submit that the applicant in M.Cr.C. No. 2927 of 2018 is in jail since 2.9.2017 and the applicants in M.Cr.C. Nos. 3527 of 2018, 3562 of 2018 and 3733 of 2018 are in jail since 9.9.2017. They have been falsely implicated in these cases. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. According to prosecution case, none of the applicants have been identified by the victims. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that serious allegations have been made against the applicants about terrorizing, extorting and looting the complainant and others. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, named FIR has been lodged against the main accused – Najay Yadav that he alongwith his companions came to the house of complainant – Dulu Nagesia, threatened him at gun point to extort money from him and on his refusal looted the money from him and similarly other persons were also looted and assaulted. In the investigation, some articles have been recovered and seized at the instance of all the applicants. Question of identification of the applicants shall be finalized after the appearance of the witnesses before the trial Court. For the present, it appears that the allegations against the applicants are of serious nature about terrorizing and creating terror in the area to facilitate the commission of crime. Hence, for these reasons, I am not inclined to grant bail to the applicants in all the cases.

6. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge