

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3463 of 2018**

Duwaru Ram Salam S/o Late Ghasiyaram Aged About 26 Years R/o- Shankar Nagar Mulla P.S. Bhanupratappur, District- North Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station Bhanupratappur, District- North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 3573 of 2018**

Dhanesh Uikey S/o Sahdev Uikey Aged About 35 Years R/o- Village Mardel Tahsil And P.S. Bhanupratappur, District- North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through- Police Station Bhanupratappur, District- North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent

For the Applicants : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.07.2018**

Heard.

- Both these applications are being decided by a common order as they arise from the similar matter. 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.218 of 2017, registered at Police Station Bhanupratappur, District – North Bastar, Kanker, Chhattisgarh for the offence

punishable under Sections 384/ 34 and 120B of the Indian Penal Code and Section 66A of the Information and Technology Act, 2000.

2. Learned counsel for the applicants submits that the applicants in both the cases are in jail since 17.12.2017 and they have been falsely implicated in these cases. Similarly placed co-accused persons – Bhuwan Bhuarya and Ravindra Dugga have been granted bail by this Court in M.Cr.C. No.1656 of 2018, vide order dated 23.04.2018. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

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

5. As per the case of the prosecution, a phone call was received by complainant – Atul Dorlikar, Sub-Contractor, the caller claimed to be a member of Koyalibeda Dalam of banned Maoist Group and demanded Rs.1.00 crore as protection money. Subsequent to that, the complainant has lodged FIR and then a trap was arranged by the police in which the applicants were caught on the spot alongwith other co-accused persons.

6. Considering the material present in the case-diary and taking into consideration the fact that similarly placed co-accused persons have been granted regular bail by this Court, I feel inclined to grant regular bail to the applicants in both the cases.

7. Accordingly, the bail applications filed by the applicants in both the cases under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in both the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- in respect of each crime with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge