

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2381 of 2019**

1. Korsa Raju, son of Subaiya, aged about 30 years, R/o Village Burkan, Konta, P.S. Chintur, District Purvi Godawari (Andrapradesh).

2. Muthyam Rambabu, son of Muthyam Onjeneyalu, aged about 37 years, R/o village Juhuguda, P.S. Chintur, District Purvi Godawari (Andrapradesh).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Konta, District Sukma (CG).

---- Non-applicant

For Applicants	: Mr. Praveen Kumar Dhurandhar, Advocate
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.13/2018 registered in Police Station Konta, District Sukma for the offence punishable under Section 34 of Indian Penal Code and Section 4(B) of Explosive Substance Act.
3. Case of the prosecution, in brief, is that on 07.09.2018 during the patrolling of police officials, the applicants and one another co-accused found in suspicious condition near Andhra Border at Konta. Inspector Hemant Sahu, posted at Police Station Konta seized 15 pieces of Electronic Detonator, 20 pieces of Pencil Battery from applicant No.1-Korsa Raju and 12 feet Kodex wire and 30 feet Electricity wire were seized from applicant No.2-Muthyam Rambabu
4. Counsel for the applicants submitted that the applicants have not committed any offence and have been falsely implicated in the case and as such the applicants may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. However, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicants on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicants.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE