

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2952 of 2019**

Irpa Dharmaiyya @ Dharma S/o Irpa Dula, Aged About 26 Years R/o Village Badepunnur, Police Station Awapalli, District Bijapur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Usoor, District Bijapur Chhattisgarh., District : Bijapur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.R. Patankar and Shri Vedant Bhelonde, Advocates
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**14/05/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.20/2009 registered at Police Station Usoor, District Bijapur (C.G.) for the offence punishable under Section 147, 148, 149, 364, 365 of IPC and Section 25 of Arms Act.
3. Case of the prosecution, in brief is that complainant Kudiyan Shankar was the Special Police Officer at Police Station Usoor. On 15/06/2009 he was returning back from Bijapur by bus. On the way at the forest applicant and other co-accused – naxalites having bow, arrow, gun get down complainant and took him along with them towards forest.
4. Counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the above mentioned facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge