

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 516 of 2020**

- Gurram Rajkumar S/o Subbaiya Aged About 40 Years R/o Village Bapanpalli, Police Station - Podiya, District - Sukma, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station - Polampalli, District Sukma, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Praveen Dhurandhar, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/03/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 20/2017 registered at Police Station - Polampalli, District-Sukma (C.G.) for the offence punishable under Sections 148, 307/149, 120-B of the IPC, 4, 5 of Explosive Substances Act and 25 and 27 of Arms Act.
2. The prosecution story, in brief is that, on 21.09.2017 at village Atulpara and Palamadgu Forest, the applicant along with other naxalite persons formulated unlawful assembly and with common intention and object, attempted gunfire upon the police officials. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that nothing has been seized from the applicant and the applicant is in jail since 14.09.2018, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application submitting that the applicant has been arrested on the basis of memorandum of other co-accused and the applicant is a member of hard core naxalite. So, the present applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**