

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6279 of 2020**

1. Deepchand Ekka And Another S/o Jagarnath Ekka, Aged About 26 Years R/o Village - Dugdugiya, Post - Kunkuri, Police Station - Kunkuri, District - Jashpur Chhattisgarh.
2. Sandip Ram S/o Sahru Ram, Aged About 21 Years R/o Village - Dugdugiya Ward No. 7, Kunkuri, Police Station - Kunkuri, District - Jashpur Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through In - Charge, Police Station - Kunkuri, District - Jashpur Chhattisgarh.

---- Respondent

For Applicants	:	Shri Chitendra Singh, Advocate
For State	:	Shri Rahul Jha, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****14/10/2020**

1. Heard on application for grant of bail.
2. The applicants have been arrested on 12.07.2020, on the allegation of having committed offence under Sections 386, 342, 506 B of I.P.C. They moved this application for grant of bail in connection with Crime No.48/2020 registered at Police Station- Kunkuri, District- Jashpur (C.G.).
3. Prosecution case is that the applicants and another co-accused kept the victim in wrongful confinement and demanded Rs. 50,000/- by way of extortion. It is also alleged that victim was kept in confinement because he was found selling beef in the open market.
4. Learned counsel for the applicants would argue that the applicants have been falsely implicated, they have not committed any offence. He further submits that the applicants lodged counter F.I.R. against the complainant in Police Station that so called victim was found illegally selling beef in the open market and it was alleged that he committed offence under Chhattisgarh Agricultural Cattle Preservation Act, 2004. The applicants are students and they are no criminal antecedents, investigation is complete, they are in jail since

12.07.2020, therefore, at this stage, they may be granted bail.

5. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that the statement of the FIR informant and the victim Imran clearly shows that the applicants along with main accused are involved in keeping the victim in wrongful confinement on the allegation that he was found selling beef in the market and not only that a demand was made for paying Rs. 50000/- therefore, prima-facie case of extortion is made out. He would submit that the main accused with whom these applicants were involved is a habitual offender and as many as 25 cases of similar nature have been registered against him. It is also submitted that the applicants have also been identified in test identification parade.
6. I have heard learned counsel for the parties and particularly taking into consideration that allegation are mainly against the co-accused who is said to be a habitual offender and that as far as present applicants are concerned they have no criminal antecedents for commission of any offence or offence of present nature and investigation is complete, charge sheet has been filed, present is fit case for grant of bail.
7. Accordingly, the bail application is allowed. It is directed that the applicants shall be released on bail, on each of them furnishing a personal bond in the sum of Rs.25,000/- with each one local sureties for the like amount to the satisfaction of the Trial Court on the condition that-
 - a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicants shall not in any manner, tamper with the prosecution witnesses.
 - c) If the applicants are found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge