

HIGH COURT of CHHATTISGARH, BILASPUR

MCRC No. 6933 of 2020

- Devkumar Yadav @ Gattu Yadav, son of Sunder Yadav, aged about 20 years, Caste-Gayar, resident of Kunkuri Dugdugiya, Police Station-Kunkuri, District-Jashpur (CG)

---- Applicant (In Jail)

Versus

- State of Chhattisgarh Through the Station House Officer, Police Station Kunkuri, District Jashpur, Chhattisgarh

---- Respondent

For Applicant	: Shri Manoj Chauhan, Advocate
For Respondent/State	: Shri Sidharth Dubey, Dy GA

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

09.12.2020

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No.48 of 2020 registered at Police Station Kunkuri, District-Jashpur CG for the offences punishable under Sections 386,342, 506-B, 395,323 of the IPC and 25 & 27 of Arms Act.
2. Case of the prosecution in brief is that the applicant and other 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.
3. Shri Manoj Chauhan, learned counsel for the applicant submits that the allegation levelled against the applicant is false and frivolous, he has not committed any offence. He further points out that other co-accused persons have been enlarged on bail by this Court. Case of the applicant is on similar

footing. The applicant is in jail since 11.07.2020 and charge-sheet has already been filed after completion of the investigation.

4. On the other hand, Shri Sidharth Dubey, learned Dy Government Advocate for the State opposing the submission made by learned counsel for the applicant submits that the statement of the FIR informant and the victim Imran clearly shows that the applicant along with other accused are involved in keeping the victim in wrongful confinement on the allegation that he was found selling beef in the market and demand was made for paying Rs.50,000/- therefore, prima-facie case of extortion is made out. He opposes the bail application on the aforementioned grounds.

5. I have heard learned counsel for the parties and also perused the case-diary.

6. Considering the entirety of the facts of the case, nature of offence alleged, period of pre-trial detention, and that the co-accused has been granted bail, whose case is on similar footing, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is allowed. It is directed that the applicant be released on regular bail upon furnishing a bail bond in the sum of Rs.10,000/- (Rupees ten thousand) with one surety in the like sum to the satisfaction of the Court below concerned on the condition that:

- a) Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

- b) Applicant shall not in any manner, tamper with the prosecution witnesses.
- c) If the applicant is 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/-
(Parth Prateem Sahu)
JUDGE

padma