

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7515 of 2020

1. Bheema Ram Korram S/o Shri Joga Ram Korram Aged About 30 Years Caste Madiya, R/o Village Jabeli, Police Station Arampur, Civil And Revenue District South Bastar Dantewada Chhattisgarh
2. Hunga Kashyap S/o Shri Hidma Kashyap Aged About 30 Years R/o Village Arve Patelpara, Police Station Arampur, Civil And Revenue District South Bastar Dantewada Chhattisgarh

---- Applicants

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station Arampur, Civil And Revenue District South Bastar Dantewada Chhattisgarh

---- Respondent

For Applicants Mr. Paras Mani Shriwas, Advocate

For Respondent /State Mr. Ayaz Naved, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

11/12/2020

1. Heard.
2. The applicants have preferred this first bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.3/2019, registered at Police Station Arampur, District Dantewada (CG), for the offence punishable under Sections 147, 148, 149, 364, 342 & 120-B of the Indian Penal Code; Sections 25 & 27 of the Arms Act; and Sections 8(1)(3) (5) of the Chhattisgarh Special Public Security Act,

3. Applicants allegedly abducted Jai Singh Kureti & Lalit Kashyap and took them inside the forest. The victims were criminally intimidated and threatened as the naxalites apprehended that they are outsiders.
4. Learned counsel for the State would oppose the bail application.
5. While the victim Jai Singh Kureti died during pendency of trial the other witness has turned hostile. Out of three eyewitnesses, Laxman & Joga Ram Mandavi have turned hostile without even identifying the accused, the third eyewitness Hunga Ram Mandavi has not yet been examined. Memorandum witness Constable Chetan Nagesh has also turned hostile. The applicants are in detention since 7-8-2019 i.e. one year four months
6. Considering the facts situation of the case and the length of pre trial detention of the applicants and also considering other relevant aspects of the matter, I am of the opinion that present is a fit case to release the applicants on regular bail.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri