

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 454 of 2021**

1. Mohit Yadav, S/o Rameshwar Yadav, Aged About 32 Years, Caste Mahkul, R/o Village Ghoghra Chowki- Kotba, Police Station Bagbahar, District Jashpur Chhattisgarh.
2. Dayman Painkra, S/o Birbal Painka, Aged About 36 Years, Caste Kanwar, R/o Village Ghoghra Chowki- Kotba, Police Station Bagbahar, District Jashpur Chhattisgarh.

---- Appellants**Versus**

- State Of Chhattisgarh Through: The Station House Officer, Police Station Bagbahar, District Jashpur Chhattisgarh.,

---- Respondent

For Appellants	: Mr. Sanjeev Kumar Sahu, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2021**

1. The matter is heard through video conferencing.
2. This criminal appeal under Section 14 (A) (ii) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, has been filed by the appellants who are apprehending their arrest in connection with Crime No. 25/2020 registered at Police Station- Bagbahar, District Jashpur (C.G.) for commission of the offence punishable under Sections 365, 352, 342, 34, 120-B of IPC & Section 3(1)(ड), 3(2) (v-क) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. As per the prosecution case, appellants and other co-accused have abducted the complainant Mohan Painkra S/o Shobha Ram, who is one of panch of Village Ghoghra and took him towards Raigarh, thereby deprived him from participating in the election for the post of Up-Sarpanch. Based on this, offence was registered against the present appellants.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in the crime in question. He further submits that the allegations levelled against the appellants are not based on true facts and there is no name of the appellants in an FIR. He next added that they were not the main accused, therefore, the present appellants may be released on bail.
5. On the other hand, counsel for the State however opposes this appeal submitting that there is a specific allegation made out against the appellants, therefore no case is made out to release them on bail.
6. After due consideration on the material present in the record, looking to the direct allegations made by the complainant of this case about the appellants, no case is made out to release the appellants on bail.
7. Accordingly, this appeal filed by the appellants is rejected.
8. The appellants shall positively surrender themselves before the concerned trial Court and the trial Court is directed to decide their bail application as early as possible according to law.

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