

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4033 of 2021

1. Trilok Baghel S/o Prahlad Baghel, Aged About 24 Years R/o Dak Bangla Para, Gariyaband, Police Station Gariyaband, District Gariyaband Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station, Gariyaband, District Gariyaband Chhattisgarh

---- Respondent

For Applicant : Shri Mohammad Afroz Athar, Advocate

For Respondent/State Shri Chandresh Shrivastava, Dy. Adv.Gen.

(Proceedings through Video Conferencing)

Order On Board

By

Prashant Kumar Mishra, Ag. CJ

28-7-2021

1. The applicant has preferred this bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.106/2021 registered at Police Station Gariyaband, District Gariyaband (CG), for the offence punishable under Sections 328, 384, 506, 34 of the Indian Penal Code.
2. The applicant along with Nanu Sinha, Harish Sinha, Devnath Yadav and Vikas Markam have allegedly extorted money on different occasions from 11 years old son of the first informant, who is the Chief Judicial Magistrate, Gariyaband. As per the allegation, at about 10.00 am on 27-3-2021 Adarsh Banjare, 11

years old son of the informant, drawn some amount from the house and was moving out of the house. Upon seeing the same by his mother i.e. the informant and on enquiry he revealed that previously also he had given Rs.500/-, 300/- and 250/- to the accused persons who have induced and threatened him to get involved in consuming ganja and other psychotropic substances. As per the diary statement of the victim, he was forcibly made to consume ganja and psychotropic substances.

3. Learned counsel for the State, *per contra*, would oppose the bail application. He would submit that the applicant has criminal antecedents of his involvement in twelve cases out of which four cases are of offences relating to different provisions of the IPC.
4. Learned counsel for the applicant would submit that in eight cases involve proceedings under Section 107, 116 of the Cr.P.C., therefore, they cannot be treated as substantive offences. Out of remaining four cases, three have ended in acquittal and only one case is pending.
5. Be that as it may, considering the nature of allegations and the material available on record; particularly considering the previous criminal antecedents of the applicant, I am of the opinion that present is not a fit case to release the applicant on regular bail.
6. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri