

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5315 of 2021**

1. Ashish Vishwakarma S/o Shashi Vishwakarma, Aged About 22 Years, R/o Village Bhitari, Police Station Lohta, District Varanasi (Uttar Pradesh).

**---- Applicant**

**Versus**

1. State Of Chhattisgarh, Through Station House Officer, Outpost Rairumakhurd, Police Station Dharamjaigarh, District Raigarh (Chhattisgarh).

**---- Non-Applicant**

---

For Applicant : Mr. Sanjeev Verma, Advocate.  
For Respondent/State : Dr. (Ms.) Veena Nair, Dy. Advocate General.

---

**Hon'ble Justice Shri Gautam Chourdiya**  
**Order on Board**

**11/08/2021**

- 1) The matter is heard through video conferencing.
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in custody since 09/03/2021 in connection with Crime No. 11/2021, registered at Outpost Rairumakhurd, Police Station Dharamjaigarh, District Raigarh (C.G.) for the offence punishable under Sections 302, 201, 392, 411, 120-B of Indian Penal Code.
- 3) Case of the prosecution, in brief, is that on 19/01/2021 deceased Nazir Ahmed (driver) alongwith his helper Majir Alam was going from Raigarh (C.G) to Udalhat (U.P.) by Truck bearing No. CG29 AB 9001 for transporting 30.3 tons of Radhe TMT Iron Rod. On the next day i.e. 20/01/2021, the present applicant alongwith co-accused persons stopped the Truck with intention to loot the aforesaid goods loaded in the Truck and committed murder of deceased Nazir Ahmed and Majir Alam with the help of gun and

thereafter threw their dead bodies at different places.

- 4) Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant is in jail since 09/03/2021, charge sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.
- 5) On the other hand, learned counsel for the State opposes the bail application.
- 6) I have heard the learned counsel appearing for the parties.
- 7) Considering the facts and circumstances of the case, the gravity of the offence, further considering the fact that the present applicant alongwith other co-accused persons looted the aforesaid truck and committed murder of deceased Nazir Ahmed and Majir Alam, the material so far collected against the applicant, without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

**-Sd/-**  
**(Gautam Chourdiya)**  
**Judge**

Chandrakant