

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8654 of 2020**

- Madkami Handa, S/o Mukka, Aged About 32 Years, R/o Pusgunna, Patelpara, Police Station- Kukanar, Distt.- Sukma (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station - Kukanar, District- Sukma (Chhattisgarh).

---- Respondent

For Applicant	:	Mr. Shrawan Agrawal, Adv.
For Respondent/State	:	Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

1. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 07/2018 registered at Police Station- Kukanar, District- Sukma (C.G.) for the offence punishable under Sections 148, 307/149 of IPC and Section 25 (1-B) (a), 27(1) of Arms Act, and Section 5 of Explosive Substance Act.
2. The prosecution story, in brief is that, applicant along with other co-accused persons committed attempt to murder of the police force and kept explosive material. Based on this, offence has been registered. Present applicant has been taken into custody on 22.02.2018.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that no named FIR is

registered against the applicant and only on the basis of memorandum, he has been arrested and he is in jail since 22.02.2018, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application submitting that the offence committed by the applicant is of serious in nature, so, it is not a fit case to release him on bail.
5. I have heard learned counsel for the parties and perused the records.
6. Considering the facts and circumstances of the case, nature and gravity of offence and especially increasing incidents of Naxalite activities, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected. However, trial Court is directed to conclude the trial as early as possible preferably within a period of six months.

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