

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9232 of 2020**

1. Sodhi Nanda, S/o Late Sodi Muya, aged about 30 Years,
2. Kudam Sona, S/o Kudam Nanda, aged about 25 Years,
3. Madkam Hunga, S/o Late Madkam Hinga, aged about 30 Years,
4. Madvi Hidma, S/o Late Madvi Pojja, aged about 20 Years

All are by Caste Muriya, R/o. Village Surpanguda, Police Station Chintalnar, Tahsil Konta, District Sukma Chhattisgarh.

----Applicants

Versus

- State of Chhattisgarh, Through - the Station House Officer, Police Station Chintalnar, District Sukma Chhattisgarh.

----Non-applicant

For Applicants	Shri Praveen Dhurandhar, Advocate.
For State	Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****29/01/2021**

1. The applicants have preferred this application under Section 439 of Cr.P.C. as they have been arrested in connection with Crime No.11/2018 registered at Police Station- Chintalnar, District Sukma, C.G. for the offence punishable under Sections 147, 148, 149, 307 & 120B of Indian Penal Code and under Sections 3 & 5 of Explosive Substance Act.

2. Case of the prosecution, in brief, is that Sawant Ram Patel, Assistant Sub-Inspector, Police Station Chiltalnar, lodged an FIR on 07.11.2018 against unknown accused Naxalites to the effect that on 07.11.2018 at about 13:30 hours when he along with the staff and police force proceeded towards Mallewagu Nala for patrolling, on the way some unknown Naxalies in furtherance of the conspiracy hatched by them with intention to commit murder of the police officers of the Security Force exploded IED. After completion of investigation, the aforesaid offence have been registered against the applicants.
3. Learned counsel for the applicants submits that applicants are innocent persons and have been falsely implicated in this case. He also submits that no injury has been sustained by any of the police officers and no explosive substance has been seized from the applicants. The applicants have been arrested on the basis of suspicion, they are in jail since 10.05.2020 and conclusion of the trial is likely to take some time. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Heard learned counsel for the parties and perused the case diary.
6. Looking to the facts and circumstances of the case, the case

diary statements of Sodhi Bhema, son of Hidma and Muchaki, son of Ganga, who have stated that naxalites including the applicants were holding meeting in their presence and those naxalites admitted before them implanting of bomb for causing damage to the police party, the gravity of the offence, without commenting anything on merits of the case, I am not inclined to release the applicants on bail.

7. Accordingly, the bail application stands dismissed.

Sd/-
Gautam Chourdiya
Judge

Akhilesh