

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.538 of 2015**

Santosh Asnani @ Sonu Asnani S/o Late Sukhram Das, aged about 26 years, resident of Gurudwara, above Sindhi Mandir, Street No.1, Mangal Bazar, Police Station Azad Chowk, Raipur, Tehsil and District Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through: Station House Officer, Police Station-Civil Line, Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Applicant	:	Shri C. R. Sahu, Advocate
For Respondent/State	:	Shri Manish Nigam, P.L.

Order On Board**10/07/2015**

The applicant is apprehending his arrest in connection with crime number i.e.295/2015, registered at Police Station Civil Line, Raipur, District Raipur for the offence punishable under Section 365, 327/34 of the Indian Penal Code.

2. Case of the prosecution is that the applicant and other accused kidnapped Sarweshwar and Ajay Motwani and they were kept in wrongful confinement and also assaulted to extort money.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. He was not present at the time of incident nor any role was played by him in keeping the complainant in wrongful confinement, assaulting or extracting money. It is submitted that the applicant had undergone operation and rods are fitted in his leg and it is wholly improbable that he also participated in such offence.

4. On the other hand, learned counsel for the State opposes the prayer of grant of bail.

5. Taking into consideration the nature of allegation and the material

available in the case diary and the statement of Sarweshar and Ajay Motwani, it is not a fit case for grant of anticipatory bail.

6. Accordingly, the application is rejected.

Sd/-

Manindra Mohan Shrivastava
Judge

Tumane