

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7186 of 2015**

Ramesh Kumar Minj S/o Suryanath Minj Aged About 29 Years R/o  
Village Jamvantpur, P.S. Ramanujganj, Distt. Balrampur  
Ramanujganj, Civil Distt. Sarguja, Rev. Distt. Balrampur  
Chhattisgarh.

**---- Applicant**

**Versus**

The State Of Chhattisgarh Through P.S. Ramanujganj, Distt.  
Balrampur Ramanujganj, Chhattisgarh.

**---- Respondent**

For applicant - Shri A.K. Prasad, Advocate.  
For Respondent/State – Shri Sameer Behar, PL.

**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**22/12/2015**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 53/2015 registered in Police Station Trikunda, District Balrampur Ramanujganj, Chhattisgarh for offence punishable under section 294, 323, 355, 364A, 506, 120B & 34 of IPC.
2. As per the prosecution case on 24/08/2015 one Shambhu Khairwar was abducted and he was asked whether he was holding Hanuman Printed Coin (हनुमान छाप सिक्का) Thereafter, said complainant was taken to Shardapur Main Road Aamadandi. Subsequently, Scorpio vehicle came from Wardrafnagar which was owned by Ramesh Kumar Minj present applicant and other co-accused Brahmdev, Rajnath, Vishwajeet and Fuzel forced the complainant to board the Scorpio vehicle. Thereafter, they traveled in said Scorpio vehicle to some distance. He was taken to inside the forest and however somehow complainant got himself free and fled away and the report was made.
3. Learned counsel for the applicant submits that the offence has

been committed by other co-accused Brahmdev, Rajnath, Vishwajeet and Fuzel and only applicant has been inculpated for the reason that his car was coming from Wadrafnagar and other co-accused stopped it and boarded it and therefore no offence has been committed by this applicant, therefore applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the FIR and statement of the victim. After reading statement of the victim it cannot be at this stage definitely be held that only the vehicle of the applicant while was traveling was used in the crime. Considering the allegations of 120-B of IPC is also made out against the applicant. Considering the nature of statement, in the opinion of this court it is to be appreciated at the time of trial when other evidence are adduced. Therefore the meaning of the statement cannot be appreciated at the time of adjudication of this bail. Prima facie it appears that offence are made out against this applicant as per evidence available, therefore, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE