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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.5265 of 2015**

1. Amit Trivedi, aged about 34 years, S/o Yogendra Trivedi, Occupation-Business, R/o Vijyapura, Police Station-Sarkanda, Tahsil & District Bilaspur (CG), Civil & Revenue District Bilaspur (CG)
2. Vijay Dahire, aged about 24 years, S/o-Lal Das Dahire, R/o-Jarhabhatha, Bilaspur, Police Station-Civil Lines, Bilaspur, Tahsil & District Bilaspur (CG), Civil & Revenue District Bilaspur (CG)

**---Applicants****Versus**

State of Chhattisgarh, Through- Police of Police Station-Kotwali (Rajnandgaon) (Chowki-Chikhli), Tahsil & District Rajnandgaon (CG), Civil & Revenue District Rajnandgaon (CG)

**---Non-applicant****And****M.Cr.C.No.5191 of 2015**

Pradeep Kumar Kshatri, aged about 40 years, S/o-Banke Kshatri, R/o-Yadunandan Nagar, Police Station-Sirgitti Tifra, Tahsil & District Bilaspur (CG), Civil & Revenue District Bilaspur (CG)

**---Applicant****Versus**

State of Chhattisgarh, Through- Police of Police Station-Kotwali (Rajnandgaon) (Chowki-Chikhli), Tahsil & District Rajnandgaon (CG), Civil & Revenue District Rajnandgaon (CG)

**---Non-applicant**


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| For Applicants    | : | Mr. Ratnesh Kumar Agrawal, Advocate |
| For Non-applicant | : | Mr. Arvind Dubey, Panel Lawyer      |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****05/10/2015**

1. Since the aforesaid two bail applications are arising out of the same crime number, they are being disposed of by this common order.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.388/2015, registered at Police Chowki-Chikhli, Police Station-Kotwali, District-Rajnandgaon (C.G.), for the offence punishable under Section 364A/34 of the IPC.

3. Case of the prosecution, in brief, is that on 9.6.2015 at 1 p.m. the applicants kidnapped Bhimrao Madavi and Raju Meshram for ransom of Rs.50,000/- and also threatened them to cause death if such ransom is not paid and thereby committed the aforesaid offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case. He would further submit that there is commercial dispute, the applicants were staying in Room No.213 of Hotel Vani at Durg, whereas Raju Meshram and Bheemrao Madavi were staying in Room No.222 in the said hotel and entire case has been fabricated to implicate the present applicants, they are in jail since 11.6.2015 and charge-sheet has already been filed and therefore, they may be enlarged on bail.

5. On the other hand, learned counsel for the State would oppose the bail application and submit that two victims namely Raju Meshram and Bheemrao Mandavi were kidnapped for ransom of Rs.50,000/-. The applicants also threatened them. He would further submit that the trial is on advance stage and three prosecution witnesses have already been examined.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the

present applicants in crime in question; evidence collected by the prosecution against the present applicants, the fact that trial has already been commenced and three witnesses have already been examined, I am of the view that it is not a fit case to enlarge the applicants on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are rejected.

9. Certified copy as per rules.

**Sd/-**

**(Sanjay K. Agrawal)**  
**JUDGE**

B/-