

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 642 of 2016**

Bhanu Ram Patel, son of Budhwar Ram Patel, aged about 52 years, R/o Village Basin, Police Station Arjunda, Revenue and Civil District Balod (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through the District Magistrate, Durg, District Durg and also through police station Utai, District Durg (C.G.)

---- Non-applicant

For Applicant: Mr. P.K. Patel, Advocate.
For Non-applicant/State: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/02/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 393/2015 registered at Police Station Utai, District Durg for the offences punishable under Sections 363, 365, 323 & 342/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant along with other co-accused persons kidnapped one Chitrasen Davdas on 13.11.2015 and wrongfully confined him secretly and thereby committed the offence to extract the money.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 29.11.2015; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail applications.

(5) Taking into consideration the facts & circumstances of the case; further considering the role of the present applicant in the crime in question; and applicant is in detention since 29.11.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant **-Bhanu Ram Patel** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-