

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7408 of 2015

- 1. Rajnath Singh S/o Shivvrat Singh Aged About 28 Years R/o Village - Navadih (Tatapani), Police Station - Ramanujganj, District - Balrampur - Ramanujganj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh
 - 2. Bramhdev S/o Ramsevak Aged About 22 Years R/o Village - Kevli, Police Station - Ramanujganj, District - Balrampur - Ramanujganj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh.
 - 3. Fujel Khan S/o Inush Khan Aged About 23 Years R/o Village - Chumra, Police Station - Ramanujganj, District - Balrampur - Ramanujganj, Civil District - Sarguja, Revenue District - Balrampur, Chhattisgarh
- **Petitioners**

Versus

- The State of Chhattisgarh Through : Police Station - Trikunda, District - Balrampur - Ramanujganj, Chhattisgarh

---- **Respondent**

For the applicants	:	Mr. A. K. Prasad, Advocate
For the Respondent	:	Mr. Samir Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2016

- 1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 53/2015 registered at P.S. Trikunda, Distt. Balrampur Ramanujganj (C.G) for the offence punishable under Section 364A, 294, 506, 323, 355, 120-B IPC.
- 2. Case of prosecution, in brief, is that one Shambhu Khairwar was abducted and was enquired whether he was holding Hanuman Printed Coin. Thereafter, said complainant was taken to Shardapur Main Road, Aamadandi. Subsequently, a Scorpio vehicle came from Wadraf Nagar which was owned by

Ramesh Kumar Minj and thereafter, the present applicants and other co-accused forced the complainant to board the Scorpio vehicle. After they traveled in said Scorpio Vehicle for some distance, the complainant was taken inside the forest. However, somehow the complainant got himself free and fled away and the report was made.

3. Learned counsel for the applicants submits that provisions of Section 364 IPC are not attracted as it cannot be placed at par with the ransom as per the definition of section and therefore for a little value of Hanuman Coin, it cannot be assumed that the applicants have committed the offence. He further submits that applicants have been falsely implicated in this case, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Perused the FIR and the statement of victim.
6. Considering the statement of victim wherein the allegations have been attributed to these applicants and the manner in which the offence committed, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**