

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1977 of 2016**

Rupesh Kumar Dubey S/o Manharlal Dubey, aged about 28 years, R/o Mini Basti, Jarhabhatha, Police Station Civil Lines, District Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through the District Magistrate, Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr.B.D.Guru, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20/04/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.122/2016, registered at Police Station-Civil Lines, Bilaspur District-Bilaspur (CG), for the offence punishable under Sections 294, 323, 506 and 365/34 of the IPC.

2. Case of the prosecution, in brief, is that the on 17.2.2016 the applicant and co-accused forcefully kidnapped complainant Dilip Banjare and took him in his four wheeler Tata Sumo, also threatened and assaulted him by which he suffered injuries.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is not main accused and he is in jail since 10.3.2016.

4. On the other hand, learned counsel for the State would oppose

the bail application and submit that the applicant and co-accused intercepted the complainant on 17.2.2016 and the applicant took key of motor-cycle of the complainant and took him in Tata Sumo and thereafter assaulted him and thus, committed the aforesaid offences.

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

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and the manner in which the offence is said to have been committed and forcefully kidnapped the complainant, I do not find any ground for grant of regular bail to the applicant. Consequently, bail application filed on behalf of the applicant is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-