

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 450 of 2016**

Raja Sharma @ Jai Sharma, S/o Late Jai Prakash Sharma,
Aged about 20 years, R/o Newmanichak, P.S. Mashaudhi,
District Patna (Bihar)

---- Applicant**Versus**

State Of Chhattisgarh: Through :- Civil Lines, Bilaspur,
Distt. Bilaspur (C.G.)

-----Non-applicant**And****MCRC No. 571 of 2016**

Ashwani Kumar Sah, S/o Shri Satyanarayan Sah, Aged
about 21 years, R/o Bompas town Basera Kothi Chandi
Bhawani Road, Devghar, P.S. Devghar, District
(Jharkhand)

---- Applicant**Versus**

State Of Chhattisgarh: Through :- Civil Lines, Bilaspur,
Distt. Bilaspur (C.G.)

-----Non-applicant

For Applicant: Mr. Dharendra Pandey, Advocate.
For Respondent/State: Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/02/2016**

(1) Above mentioned two bail applications filed under Section 439 of the Cr.P.C arise out of a common Crime No.342/2015, registered at Police Station Civil Lines, Distt. Bilaspur, for the offence punishable under Sections 364A, 120-B, 506-II, 507 & 323/34 of the Indian Penal Code and Section 25 of the Arms Act ,

therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief, is that applicants & two other accused persons called complainant Daneshwar Sahu to Patna and demanded ₹ 30,00,000/- as ransom and obtained ₹ 10,00,000/- and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that the applicant have been falsely implicated in the offence in question as there is no evidence connecting the applicant in the crime in question. He further submits that Rahul Sharma is not named in the FIR, who has telephoned the complainant for purchasing machine at Patna. He also submits that applicants are in detention since 31.07.2015; charge sheet has already been filed and no custodial interrogation is required and, therefore, the applicants are entitled to be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case; and the facts that applicants are said to have been identified by the complainant in the Test Identification Parade and the evidence of obtaining ₹ 10,00,000/- on record and looking to the nature of allegation made against the applicants, I am not inclined to release the applicants on bail. Thus, the bail applications are rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

