

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4908 of 2016

Sheikh Rehman @ Raja, S/o. Sheikh Rahim, Aged About 27 Years, R/o. Qrt. No. 19, Block No. 13, Housing Board Colony, Saddu, Police Station Vidhansabha Raipur, Distt. Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station City Kotwali, District (Revenue & Civil) Balodabazar – Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjeev Das, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.09.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.161/2016 registered at Police Station City Kotwali, District (Revenue & Civil) Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 363, 364 of Indian Penal Code.
2. As per the prosecution case, on 15.05.2016 a boy named Nikhil @ Nishant Manikpuri was abducted who is 6 years of age and subsequently, the wife of the complainant received a phone call wherein Rs. 5 Lacs was demanded. Thereafter, from the possession of the present applicant Sheikh Rehman the boy was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, infact the entire allegations have been attributed to Uday Sarkar and the applicant has not played any role in commission of crime, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the evidence available against the applicant as the boy was also recovered from the possession of the applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge