

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 1007 of 2017**

1. Vijay Kumar S/o Shri Bhojraj Gabel Aged About 52 Years R/o Village Jobi, Police Station & Tahsil Kharsia, District- Raigarh, Chhattisgarh.
  2. Feku Lal Sahu S/o Shri Tijram Sahu Aged About 52 Years R/o Village Borda, Tahsil Sakti, District- Janjgir- Champa, Chhattisgarh.
- Applicants**

**Versus**

- State of Chhattisgarh through Police Chowki Jobi, Police Station Kharsia, District Raigarh, Chhattisgarh.
- Respondent**

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| For Applicants       | : Mr. F. S. Khare, Advocate       |
| For Respondent/State | : Mr. Anant Bajpai, Panel Lawyer. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**01/03/2017**

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. 245/2016 registered at Police Chowki Jobi, P.S. Kharsia, District – Raigarh (C.G.) for the offence punishable under Sections 365, 323/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 17.06.2016 one Devendra Agnihotri along with the present applicants and other co-accused abducted Kamal Yadav & Anand Patel over an old enmity and thereafter assaulted them and subsequently left them back in the night after obtaining

signatures on some papers, thereby the offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated and the victims themselves joined the applicants and the complainant demanded money from the applicants. He further submits that certain compromise talks were going on and had there been any intention to abduct, the victims would not have been left back. He further submits that similarly placed co-accused Naresh Kumar Sahu has been enlarged on bail by this Court in M.Cr.C.No. 5191 of 2016, therefore, the present applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application. However, he do not dispute the fact that that the person against whom similar allegations were levelled has been enlarged on bail by this Court.
5. Perused the statement of Kamal Yadav and Anand Patel. Considering the facts and circumstances and the background of this case and further considering the fact that charge-sheet in this case has been filed; applicants are in jail since 24.12.2016 as also the fact that similarly placed accused has been enlarged on bail by this Court, I am of the view that present is also a fit case where the bail can be granted to the present applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance before the said Court as and when directed.

Certified copy as per rules.

**Sd/-**  
**(Goutam Bhaduri)**  
**Judge**

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