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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7353 of 2018**

1. Rajesh Dubey S/o Shri Prem Dubey Aged About 23 Years R/o Village- Baalpur, Police Station- Sarsiwa, Tehsil- Bilaigarh, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Kamal Kishore Dubey S/o Shri Prem Shankar Dubey Aged About 24 Years R/o Banglabhata Bilaigarh, Police Station- Bilaigarh, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through Chowki Bhatgaon, Police Station- Bilaigarh, District- Balodabazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7381 Of 2018**

Bhushankant @ Appu Navrang S/o Nirmal Kumar Navrang Aged About 24 Years R/o Ambedkar Chowk, Bhatgaon, Out Post- Bhatgaon , Police Station- Bhatapara, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station- Bilaigarh, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri A.S. Rajput and Shri Sameer Singh, Advocates.
For the Respondent/State	:	Shri I. Lakra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.03.2019**

Heard.

1. Both these applications are decided by a common order as they arise from the similar matter. These are the second bail applications of the

applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants. The first bail application of the applicants was dismissed as withdrawn in M.Cr.C. No. 2725 of 2018 on 20.6.2018 to revive after three months. The applicants have been arrested in connection with Crime No.444 of 2017, registered at Police Chowki Bhatgaon, Police Station Bilaigarh, District – Baloda Bazar, Chhattisgarh for the offence punishable under Sections 364(a) and 397 of the Indian Penal Code.

2. Learned counsel for the applicants submit that the applicants in both the cases are in jail since 27.12.2017 and they have been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. The trial against them is getting delayed. The complainant and other witnesses are not turning up for their examination before the Court because of which, bailable warrant has been issued to them. No offence has been committed by these applicants. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that according to the evidence present against these applicants the offences of abduction for ransom and robbery is clearly made out. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. Complainant – Bhuneshwar Chandra has lodged a missing report regarding missing of victim – Naresh Chandra. The police personnel of police chowki Bhatgaon, police station Bilaigarh stopped a vehicle bearing registration No. C.G.13 U 4141 and one Alto Car bearing registration No.C.G.22 AB 7848 and found that both these applicants had caught hold of missing Naresh Chandra who was recovered from their custody. Naresh Chandra has given a statement that he was abducted for demand of ransom of Rs.3,00,000/-, his vehicle and ATM card were also looted from him and by using which, the accused persons had withdrawn the amount from ATM Booth. Hence, this case.

6. After considering the entire material present in the case-diary, I do not feel inclined to grant bail to the applicants in both the cases.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are rejected. However, the trial Court is directed to expedite the trial and conclude the same preferably, as far as practicable within a period of six months from the date of receipt of the copy of this order. The applicants in both the cases shall have liberty to file a repeat application in case the trial is not concluded within the stipulated period.

Sd/-

(Rajendra Chandra Singh Samant)
Judge