

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 163 of 2019

- Ashwani Dadsena S/o Gambhir Ram Dadsena, Aged About 51 Years, R/o Amarpuri Chowk, Saundar Nagar, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Police Station Amleshwar, District Durg Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri B.P. Singh, Advocate.

For Non-applicant/State – Shri Arun Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-01-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application was dismissed as withdrawn on 07-08-2018. The applicant has been arrested on 21-12-2017 in connection with Crime No.129/2017 registered at P.S. - Amleshwar, District Durg, Chhattisgarh for the offence under Section 420, 384, 342, 365, 120-B, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant. Similarly placed co-accused Vijay Yadav has been granted bail by coordinate Bench of this Court and the other co-accused Lekhram Netam, Shyamu Yadav and Govind Yadav have been granted bail by this Court. Hence, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. The case against the applicant is this that, this applicant and co-accused persons, namely, Rinku, Govind and Lekhram abducted and kept complainant

Bhawani Sahu in wrongful confinement, then by putting her under threat he was made to sign some blank stamp papers and was also compelled by force to make transfer of Rs.5,00,000/- to the account of co-accused Vijay Yadav, in which this applicant was participant in the commission of the offence.

6. After considering on the entire material present in the case diary and for the reason that similarly placed co-accused persons have been granted bail, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge