

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9980 of 2018**

1. Mukul Suna, S/o Prakash Suna Aged About 19 Years R/o Ispat Nagar, Risali Bhantha, Tahsil and District Durg Chhattisgarh.
2. Shekhar Nayak S/o Suresh Nayak Aged About 19 Years R/o Ispat Nagar, Near Ganesh Pandal, Risali Bhantha, Tahsil and District Durg Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Newai, District Durg Chhattisgarh.

---- Respondent

For Applicants	: Shri Vivek Surana on behalf of Shri Tridib Bhattacharya, Advocates.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**17/01/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 228/2018, registered at Police Station – Newai, District - Durg, (C.G.) for the offence punishable under Sections 365, 364(A), 34 of the IPC.
2. As per the prosecution story, on 08.10.2018, Complainant Ajay Kumar lodged a report in police station wherein it has been stated that his son namely Naman Chandrakar, aged about 13 years has been kidnapped by some unknown person in Swift Desire Car and the Applicants have demanded ransom in lieu of his son. On the basis of the said report, offence has been registered against the Applicants. Later, on the same day, the Applicants left the Complainant's son. During course of investigation and on the basis of memorandum

statement of the Applicant Mukul, one Swift Car has been seized from his possession. Statements of Applicant Naman and other witnesses were recorded and the Applicants were taken into custody on 09.10.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that FIR has been lodged against some unknown person and no test identification parade has been conducted by the police. Therefore, prime facie no case is made out against the present Applicants. He also submits that charge-sheet has been filed, Applicants are in custody since 09.10.2018 and trial will take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants are in custody since 09.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge