

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1932 of 2020**

- Kamesh @ Kali Kavde S/o Chunni Lal Kavde Aged About 22 Years
R/o Village/post - Girola, Thana/tahsil - Aamgaon, District - Gondiya,
Maharashtra.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station, Kotwali, District
Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Samir Singh, Advocate.
For Respondent/State	:	Mr. Siddharth Dubey, Dy.A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.06.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 729/2019 registered at Police Station : Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Sections 365, 364(A) r/w Section 34 of the IPC.
2. The brief facts of the case are that, complainant lodged a report at concerned police station alleging therein that on 08.12.2019, two persons came on motorcycle and kidnapped his nephew namely Naitik Lulla. After completion of investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further submits that the applicant has been made accused only on the basis of memorandum of the co-accused. Applicant is in jail since 09.12.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application and submits that looking to the gravity and nature of the crime the applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature and gravity of the case, detention period of the applicant, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**