

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4081 of 2020

1. Fulsingh Chandrakar, S/o Late Daulal Chandrakar, aged about 40 years, By Caste Kurmi, Occupation Kirana Shop.
2. Vikky Chandrakar S/o Ganesh Chandrakar Aged About 27 Years By Caste Kurmi, Occupation Driver Of School Bus

Applicants No.1 & 2 are Resident Of Village Semradih, Police Station, Tahsil And District Mahasamund Chhattisgarh.

3. Lankesh Chandrakar S/o Late Narayan Chandrakar, aged about 35 years, By Caste Kurmi, Occupation Labour , R/o Village Kanpa , Police Station Tumgaon, Tahsil And District Mahasamund Chhattisgarh.
4. Munna Sahu S/o Santu Sahu Aged About 27 Years Occupation Agriculture Labour, R/o Mathpara , Ward No. 8, R/o Village Kanpa , Post Office Birkoni, Police Station Tumgaon, Tahsil And District Mahasamund Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Officer , Police Station Patewa, District Mahasamund Chhattisgarh.

---- Respondent

And

MCRC No. 4037 of 2020

1. Purushottam @ Bhuru, S/o Aimlal Soni Aged About 40 Years Resident Of Village Kanpa, Police Station Tumgaon , Tahsil And Dist Mahasamund, Chhattisgarh.
2. Dhaluram Baghel S/o Khilawan Baghel Aged About 41 Years Resident Of Village Bodra , Police Station Patewa, Tahsil And District Mahasamund Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Patewa, District Mahasamund Chhattisgarh.

---- Respondent

For respective
Applicants

Mr. Gurudev I. Sharan & Mr.
Vikash Pradhan, Advocates

For Respondent /State

Mr. K.K. Singh, Govt.Adv.

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

28/8/2020

1. Since both the bail applications are arising out of same crime number i.e. Cr.No.111/2020, they are being considered and decided by this common order.
2. These are the applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.111/2020, registered at Police Station Patewa, District Mahasamund (CG) for the offence punishable under Section 364A read with Section 34 of the Indian Penal Code.
3. Applicants along with other accused persons abducted Lalla Sagar and Tularam Sagar on 3-6-2020 and demanded ransom amount of Rs.1,20,000/-. The victims were recovered at 23.15 hours on the date of incident itself from the possession of the accused persons.

4. Learned counsel for the applicants would submit that a false case has been registered against the applicants; the offence has been registered and investigation done at the Police Station, which has no jurisdiction; and that a sum of Rs.25,000/- was awarded to the police personnel immediately after the arrest, which shows that the police has taken unnecessary interest in the matter. Thus, the applicants may be extended the benefit of Section 439 of the Cr.P.C.
5. Learned counsel for the State, *per contra*, would oppose the bail application.
6. The recovery memo bears signatures of the accused persons is, *prima facie*, proof of the fact that the victims were recovered from their possession. The accused persons were traced through the tower location of the mobile number, through which ransom calls were made to the informant.
7. Considering the seriousness of the crime and the material available in the case diary, this Court is not inclined to grant bail to the applicants.
8. Accordingly, both the bail applications are rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri