

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4853 of 2020**

- Raju @ Rajkumar S/o Bishnu Ram Sahu Aged About 31 Years R/o Village Dhanora, P. S. Durg District Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Durg, District Durg Chhattisgarh

---- Respondent

For Applicant : Shri Ishan Verma, Advocate

For Respondent/State : Ms. Richa Shukla, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****10/12/2020**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 22.08.2019 in connection with Crime No.748/2019 registered at Police Station Durg, District Durg (CG) for the offence punishable under Sections 363, 365, 364A, 120B & 34 Indian Penal Code, 1860.
3. As per the prosecution case, one boy aged about 4 years, while he was going to his school in his school van, was kidnapped on 20.08.2019 and the boy was forcefully taken out. Subsequently, the boy was found at about 12 o' clock in the night and thereafter after due investigation, the applicant along with the

other co-accused was arrested.

4. Learned counsel for the applicant submits that only on the basis of memorandum statement, the applicant has been arrested and no identification is carried out by the police, therefore, the false implication has been made. He would, therefore, pray that the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the bail of the similarly placed co-accused has been rejected.
6. Perused the documents. Charge-sheet in this case has been filed. After going through the statement of Kamlesh & Divya, who were in the school van and from whose possession the boy was forcefully taken away and the fact that the bail of the co-accused person has been rejected, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu