

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7612 of 2019**

- Kundan Sahu S/o Shri Rohit Lal Sahu Aged About 19 Years R/o Village - Dhanora, Thana - Padmanabhpur, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant.	:	Mr. Manoj Chauhan, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.01.2020**

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. 748/2019 registered at Police Station : Padmanabhpur, District Durg (C.G.) (Durg wrongly mentioned in the order dated 27.09.2019) for the offence punishable under Sections 363, 365, 364-A, 120(B), 34 of IPC.
2. As per the prosecution case, on 20.08.2019 Chandrashekhar Sahu moved complaint that as per information of principal namely Smt. Shanti Sarkar, the present applicant/accused kidnapped 04 years old son of complainant when he was going to school by Tata Magic. On the basis of said complaint, after 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 present applicant is a student and is studying at Class- 12th, there is no criminal record of present applicant. Applicant is in jail since 22.08.2019 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.
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 and particularly age of the kidnapped child, 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**