

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1979 of 2021

Rajesh Tandon @ Raja, S/o. Late Shri Santosh Kumar Tandon, Aged About 25 Years, R/o. House No. 168, Satnami Para, Louda, Tahsil & P.S.- Pathariya, District-Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S.- Hirri, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Devershi Thakur, Advocate

For Respondent : Mr. Anmol Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

06.07.2021

1. 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 have been arrested in connection with Crime No.18/2021 registered at Police Station Hirri, District Bilaspur, for the offence punishable under Section 363, 364(A) of Indian Penal Code.
2. As per the prosecution case, on 10.02.2021 the applicant had kidnapped Yuvraj, aged about 9 years, who is brother of Ragini Kosle with whom the applicant was in love relation. Ragini Kosle was married to one Banti Kosle instead of applicant, therefore in order to avenge the anger, her minor brother Yuvraj was abducted and kept for a day and he was recovered from Lokesh Lahre.
3. Learned counsel for the applicant would submit that only the brother of Ragini was taken because of anger and no intention was there to kidnap and before the FIR was lodged he was sent back to home. Therefore, the applicant may be released on bail, as no offence has been committed.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. After perusal of the statement of Yuvraj, aged about 9 years and Ragini Kosle, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected.

Sd/-
(Goutam Bhaduri)
Judge

Ashok