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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9045 of 2021**

Aniket Gajbhiye S/o Sanjay Gajbhiye Aged About 23 Years R/o Gali No. 5, Ekta Chowk, Mamta Nagar, Thana Kotwali, Tahsil And District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

MCRC No. 9131 of 2021

Yashaswi Ramteke S/o Pramod Ramteke Aged About 19 Years R/o Mamta Nagar, Gali No. 06, Police Station Rajnandgaon, District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through The Police Station Kotwali, Civil And Revenue District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh.

---- Respondent

MCRC No. 9057 of 2021

Prince Harsh Wardhan Gosai S/o Rameshwar Gosai Aged About 21 Years R/o Gali No.6, Mamta Nagar, Thana Kotwali, Tahsil And District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

AND**MCRC No. 9061 of 2021**

1. Harshit Singh Rekhi S/o Sukhvinder Singh Rekhi Aged About 21 Years R/o Tulsipur, Sangam Chowk, Thana Kotwali, Tahsil And District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

2. Dumeswar Temunkar S/o Jhaduram Temunkar Aged About 18 Years R/o Mamta Nagar, Thana Kotwali, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Karan Takri S/o Shanker Takri Aged About 19 Years R/o Motipur, Sonarchal, Thana Kotwali, Tahsil And District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Shiva Sahu @ Bahadur S/o Mansukh Lal Sahu Aged About 21 Years R/o Basantpur, Shivnagar Ward No.42, Thana Basantpur, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicants

Versus

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

---- Respondent

For the Applicants	:	Shri Parag Kotecha, Advocate (MCrC No. 9045/2021, 9057/2021 and 9061/2021)
For the Applicant	:	Shri Kalpesh Ruparel, Advocate (MCrC No.9131/2021)
For the State	:	Shri Kunal Das, P.L.

Hon'ble Shri Justice Narendra Kumar Vyas

Order On Board

17/12/2021

1. Since all the above bail applications arise out of same crime number of same police station, they are heard analogously and are being disposed of by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Cr.P.C. for grant of bail as they have been arrested in connection with Crime No. 456/2021, registered at Police Station Kotwali, District – Rajnandgaon (C.G.), for the offence punishable under Sections 364, 294, 324, 325, 506, 342, 147, 148 of Indian Penal Code.
3. Case of the prosecution in brief is that the applicants with a common intention had abducted the complainant because of their previous enmity over the money and have beaten the complainant by lathi & knife etc., therefore, offence as mentioned

above has been registered against the applicants.

4. Learned counsel for the applicants would submit that applicants have been falsely implicated in the present case as offence under Section 364 of IPC has been made out only because of the fact that complainant is son of Police Officer. There is no iota of evidence which can be said that applicants have committed offence. They further submit that the applicants are in jail since 05/08/2021, the trial will take some time for its final disposal, therefore they may be released on bail.
5. On the other hand, learned State counsel opposed the bail applications.
6. I have heard learned counsel for both the parties and perused the material available on record.
7. I have also taken into consideration the statement of complainant recorded under Section 161 of CrPC., in which complainant has categorically stated that on the date of incident i.e. 04/08/2021 when he was going to college to deposit the fees, the accused namely Shiva Sahu, Nanu, Chhotu, Yashasvi Ramteke and others were standing there and they have called one Uday Prakash Devta, thereafter, they called the complainant, they carrying stick, baseball, bat, knife etc. abducted him and abused him and also threatened him to kill. Thereafter, Yashsvi Ramteke, Prince Gosai @ Harsh and Rahul @ Chhotu @ Dumeshwar have started *marpit* with knife, baseball stick and hockey stick as a result of which he suffered injuries. There is sufficient material in the diary with regard to *prima facie* involvement of the applicants, therefore, I am not inclined to grant the bail applications filed by these applicants.
8. Accordingly bail applications are rejected.

Sd/-

(Narendra Kumar Vyas)
JUDGE