

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 580 of 2015

Ankit Gorakh S/o Shambhunath Gorakh Aged About 21 years R/o Gujratipara, Raigarh,
Tah. & District Raigarh Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali,
District Raigarh Chhattisgarh.

---- Respondent

Shri Ashish Gupta, counsel for the applicant/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Order On Board

03/08/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.426/15 registered at police station – City Kotwali, Raigarh, Distt.-Raigarh, C.G. for alleged commission of offence under Section 365, 294, 506, 323/34 of IPC.

2. Prosecution case is that the applicant and other accused assaulted the victim and he was kidnapped.

3. Learned counsel for the submits that in a petrol pump, the applicant was brutally assaulted and beaten which resulted in severe head injury and the applicant was admitted in the hospital on 26/05/15 where he remained admitted for three days. Therefore, his involvement in the alleged commission of offence is false.

4. On the other hand, learned State counsel opposes the bail application and submits that it was a case of fight between two groups and those who have sustained injury have lodged report alleging assault and kidnapping by number of accused including the applicant also.

5. Taking into consideration the submission of learned counsel for the parties,

particularly taking into consideration the material contained in the case diary of Crime No.424/15 in which the present applicant, upon medical examination is found to have sustained injury and admitted in the hospital at 11:55 AM, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.
- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava
Judge