

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5760 of 2018

- Mohnis Jagat @ Dabbu S/o Neelmani Jagat Aged About 19 Years R/o- In Front Of Sai Plaza Gali, Katora Talab, Police Station-Civil Line, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- New Rajendra Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri CR Sahu, Advocate.
For Respondent/State	: Shri Neeraj K. Sharma, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/09/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 45/2018, registered at Police Station New Rajendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 120-B (1) & 201/34 of the IPC.
2. As per the prosecution story, in the intervening night of 12-03-2018 & 13-03-2018, deceased Siddharth Golchha was murdered by co-accused Rishabh Malhotra and Akash Godar (juvenile). Allegation against the present applicant is that he and co-accused Himanshu Yadav assisted in hiding the dead body of deceased Siddharth Golchha. On the basis of above the aforesaid offence has been registered and the present applicant has been arrested on 13-03-2018.
3. Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that apart from the memorandum statement

of the main accused Rishabh Malhotra, there is nothing on record against the present applicant. He is in jail since 13-03-2018. Trial will take some time to conclude. Therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that apart from the memorandum statement of the main accused Rishabh Malhotra, there is nothing on record against the present applicant and also considering the fact that he is in custody since 13-03-2018 and trial is likely to take time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge