

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6960 of 2018

- Himanshu Yadav, age 19 years, S/o Shri Radheshyam Yadav, R/o Near Raj Rajeshwari Mandir, Katora Talab, P.S.-Civil Lines, Distt. Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.-New Rajendra Nagar, Raipur (C.G.)

---- Respondent

For Applicant	: Shri J.K. Gupta, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/10/2018

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 302, 201, 120 (b) (1)/34 of the IPC.
2. As per the prosecution story, in the intervening night of 12-03-2018 & 13-03-2018, deceased Siddharth Golchha has been murdered by co-accused Rishabh Malhotra and Akash Godar (juvenile). Allegation against the present applicant is that he and co-accused Mohnis Jagat @ Dabbu assisted in hiding the dead body of the deceased Siddharth Golchha. On the basis of above, 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 co-accused Rishabh Malhotra and Akash Godar, there is nothing on record against the present applicant, allegations in murder

is only against the co-accused persons namely Rishabh Malhotra and Akash Godar. On the same fact other co-accused Mohnis Jagat @ Dabbu has already granted benefit of bail by this Court vide order dated 06.09.2018 passed in M.Cr.C. No. 5760/2018, present applicant is in jail since 13-03-2018 and 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 allegations against the present applicant is that he only assisted in hiding the dead body of the deceased Siddharth Golchha, On the same fact other co-accused Mohnis Jagat @ Dabbu has already been granted benefit of bail by this Court, present applicant 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