

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 223 of 2019

- Ravi Modi alias Goldy S/o Shri Sitaram Modi, aged about 30 years R/o Naman Vihar, Korba, P.S. Manikpur, District Korba (C.G.), Presently residing at Geetanjali City, Phase 2, P.S. Sarkanda, District Bilaspur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh through the Police Station Sarkanda, Bilaspur, District Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. S.S. Baghel, Advocate
For Respondent/State	:	Mr. Sumit Singh, PL

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/02/2019

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. 501/2018, registered at Police Station City Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 394, 365, 342, 294, 323, 506, 201, 34 of the IPC.
2. As per the prosecution story, on 12.07.2018 complainant Amar Panjwani lodged a report before police station Sarkanda alleging therein that on 11.07.2018 co-accused Hitendra called him to his house to know whereabouts of his brother-in-law namely Rajkumar, to which the complainant went to the house of co-accused Hitendra situated at Gitanjali City. It is further alleged that when the complainant failed to tell the whereabouts of his brother-in-law, co-accused Hitendra assaulted him through iron pipe. It is alleged that the applicant was also involved in the said offence. On the basis of above, offence has been registered and the applicant has been taken in

custody on 30.10.2018.

3. Learned counsel appearing on behalf of the applicant submit that applicant is innocent and has been falsely implicated in the present case. He further submits that in the first information report the name of the Applicant is not mentioned. Later on, due to some enmity, his name is disclosed by the complainant in his statement recorded under Section 161 Cr.P.C. He further submits that the main accused is Hitendra, who has already been released on bail by this Court vide order dated 07/01/2019 passed in MCRC No. 8584/2018. He prays that 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the applicant is in custody since 30-10-2018, main accused Hitendra has already been released on bail and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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 local solvent surety for 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