

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2722 of 2019

Dinesh Madhwani @ Deena S/o Shri Raj Kuamar Madhwani, Aged About 26 Years R/o Ward No. 6, Godaridham Tilda, District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Tilda, Neora District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Raghavendra Pradhan, Advocate
For Respondent/State	: Mr. V.K. Agrawal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/05/2019

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. 427/2018, registered at Police Station– Tilda, Neora, District-Raipur (C.G.) for the offence punishable under Section 294, 147, 148, 307 read with Section 149 of Indian Penal Code.
2. In this case there are total six accused. As per prosecution story, on 28.11.2018 at around 9:15 P.M. present Applicant along with other co-accused persons assaulted one Vicky @ Vikas Sukhwani with the intention of committing his murder with iron rod and knife. He sustained grievous injuries and was admitted in the hospital for about 13 days. On the basis of the said, report was made by Rakesh Nashani, one of the witnesses of this incident and offence has been registered. The applicant has been taken into custody on 29.11.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that

the Applicant is innocent and has been falsely implicated in the present case due to some dispute. He further submits that prima facie no offence u/s 307 can be made out against the applicant. He also submits that co-accused Vicky @ Vikram Ahuja & Naresh @ Vicky Manglani have already granted bail by this Court vide order dated 26.02.2019 passed in MCRC No.993 of 2019 & MCRC No.1055 of 2019 respectively. The Applicant is in custody since 29.11.2018 and trial is likely to take some time, therefore, Applicant may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering that applicant is in custody since 29.11.2018 and trial is 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 solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge