

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4926 of 2019

- Rohit Singh Tomar S/o Late Om Prakash Singh, Aged About 24 Years, R/o Sai Vila, Bhathagaon, Raipur, Tahsil & District Raipur Chhattisgarh. Mo. No. 9406028894., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station City Kotwali, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri N. Naha Roy, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 07-05-2019 in connection with Crime No.216/2019 registered at P.S. - City Kotwali, Raipur, Chhattisgarh for the offence under Section 294, 323, 327, 384, 506-B, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 07-05-2019. No case is made out against this applicant. In fact the wife of brother of this applicant is a licensed money lender and there had been some dispute regarding the money lent to the complainant by this applicant. The applicant has no involvement in the said matter and he has no criminal antecedent. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the complainant Harish Kachchhawa

had borrowed Rs.3,50,000/- from this applicant. It is alleged that the applicant has realized more than the amount borrowed even then he is making further demand of Rs.5,00,000/- as outstanding amount of loan and interest. On the date of incident this applicant has abused, threatened, assaulted and injured the complainant and also had attempted to extort money from the complainant. Hence, this case.

6. After considering on the facts and circumstances of this case and also particularly this fact that this applicant does not have any criminal antecedent, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge