

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1456 of 2019**

- Saurabh Ravani S/o Rajkumar Rawani Aged About 20 Years Caste- Kahar, R/o Village Katangkhar, Police Station Kansabel, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Bagicha, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri A.K. Prasad, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**06/11/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 149/2018 registered at Police Station Bagicha, District – Jashpur, (C.G.) for the offence punishable under Sections 349, 506 (B) of Indian Penal Code.
2. As per the prosecution story, on 05.09.2018, when Complainant Omprakash Yadav was going to village Bhatthikona, on the way four unknown persons stopped him and beaten him with stick and looted mobile phone, power bank and cash of Rs. 300/-. On the basis of the said, offence has been registered. During course of investigation, memorandum statement of co-accused Jagdish was recorded wherein he disclosed the fact that at the time of incident, present Applicant was also present there with them.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present

case. He further submits that, only on the basis of memorandum statement of co-accused Jagdish, Applicant has been convicted and except that there is no any material available on record against the present Applicant. Charge-sheet has been filed and trial is going on. He further submits that main accused persons i.e. Jagdish and Arvind Ekka have already been granted bail. Therefore, present Applicant may also be granted benefit of anticipatory bail.

4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case and further considering the fact that co-accused persons have already been granted bail, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the present bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (iii) He shall appear before the trial Court on each and

every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash