

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8584 of 2018

- Hitendra Singh Alias Hitu S/o Late Dinesh Kumar Singh Aged About 40 Years R/o Akash Nagar, Lingiadih, P. S. Sarkanda District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Sarkanda District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri BD Guru and Shri SS Baghel, Advocates.
For Respondent/State	: Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/01/2019

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 365, 294, 323 & 506 of the IPC.
2. As per the prosecution story, on 12.07.2018 complainant Amar Panjwani lodged a report before police station Sarkanda alleging that on 11.07.2018 present applicant called him to his house to know about the whereabouts of his brother-in-law namely Rajkumar, to which the complainant went to the house of the applicant situated at Gitanjali City. It is further alleged that when the complainant failed to provide the whereabouts of his brother-in-law the applicant assaulted him through iron pipe. On the basis of above, offence has been registered and the applicant has been taken in custody on 12.10.2018.
3. Learned counsel appearing on behalf of the applicant submit that

applicant is innocent and has been falsely implicated in the present case. They further submit that initially first report was lodged on 12.07.2018 on the basis of said, only offence under Sections 294, 323 & 506 B of IPC have been registered and later on after thought on 21.07.2018 second report was lodged and thereafter offence under Section 365 of the IPC has been added. The applicant is in custody since 12-10-2018 and trial will take some time, therefore, he 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 12-10-2018 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