

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 1787 of 2020

1. Jai Chouhan S/o Damodar Chouhan Aged About 25 Years R/o Gandhi Chowk, Gandghora, Brajraj Nagar, District Jharsuguda Odisha.

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station Kotra Road, Raigarh District Raigarh Chhattisgarh

---- Respondent

For Applicant	Mr. Sanjay Agrawal, Advocate
For Respondent /State	Mr. Ashutosh Mishra, Panel Lawyer

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board03/03/2021

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.187/2020, registered at Police Station Kotra Road, District Raigarh (CG), for the offence punishable under Sections 394, 365, 34 of the Indian Penal Code.
2. Complainant/victim Ganesh Kumar Maravi was driving Tata 1109 goods vehicle in the intervening night of 14th & 15th September, 2020. As per the FIR he was abducted and taken inside the State of Odisha by three persons who looted Rs.30,000/- and one mobile set.
3. Learned counsel for the State, *per contra*, would oppose the bail application.
4. In course of investigation, the Investigating Officer has already arrested five persons namely; Shyam, Biru, Karan, Vishwajeet & Amar. In the memorandum statement of co-accused Shyam he has disclosed that the

present applicant & Vishwajeet were also involved in abduction, however, five arrested accused have already been identified by the victim.

5. Co-accused Biru Chouhan & Karan Chouhan have been allowed regular bail by this Court vide order dated 5-2-2021 passed in M.Cr.C.No.8006 of 2020 upon consideration that if as per the initial story only three persons have stopped the truck and thereafter kidnapped the victim, it is strange as to how he could identify five persons.
6. Considering the entire facts situation of the case; particularly considering the fact that the applicant is sought to be arrested on the basis of statement of co-accused; and as per the FIR only three persons have abducted and five persons have already been arrested and identified, this Court is inclined to release the applicant on anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - he shall make himself available for interrogation by a police officer as and when required;
 - 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 facts to the Court or to any police officer.
 - he shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri