

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5928 of 2020

- Sunil Kumar @ Sonu S/o Late Sunder Lal Aged About 35 Years R/o Ward No. 05, North Jhagrakhand Colliery Tahsil Manendragarh, P. S. Jhagrakhand District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P. S. Jhagrakhand District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.
---- Respondent

For Applicant : Shri Akhtar Hussain, Advocate
For Respondent/State : Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

26/11/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crim No.07/2020, at Police Station- Jhagrakhand, District- Koriya (C.G.).
2. Prosecution case is that the deceased has given loan of Rs. 70,000/- to the applicant and when the deceased asked to return back his money the present applicant alongwith other co-accused by using filthy words threatened him to dire consequence, after that the deceased got distress and poured petrol on himself and burned himself.
3. Learned counsel for the applicant submits that the allegations against the applicant is false and fabricated, he is falsely implicated in the case, It is further submitted that the other co-accused in of the case has already been granted bail by the Court vide order dated 20.10.2020 the applicant has not been involved in the event of threat and the present applicant is in jail since 11.02.2020 and trial of the case will take sufficient time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned State Counsel opposes prayer for grant of bail application and submits that the present applicant was also involved in the event of threat. Therefore, the applicant is not entitled for grant of bail.
5. Having considered the submission made by learned counsel for the parties, taking into consideration the nature of allegation and detention period of the applicant and the fact that co-accused has already been granted bail and trial may take some time, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned Trial Court, he shall be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge

Nadim