

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 429 of 2021**

- Vijay Yadav S/o Nandlal Yadav Aged About 24 Years R/o Ward No. 6, Barethpara, Khairagarh P.S. And Tehsil Khairagarh, District Rajnandgaon Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh Through- District Magistrate, Rajnandgaon, District Rajnandgaon Chhattisgarh., **---- Non-applicant**

For Applicant : Mr. Abhishek Pandey, Advocate
 For State : Mr. Ajay Kumarani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya

Order on Board**23-02-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he has been in jail in connection with Crime No.473 of 2020, registered at Police Station Khairagarh, District Rajnandgaon (CG) for the offence punishable under Sections 25 & 27 of the Arms Act.
2. The allegation against the present applicant is that on 4-12-2020 at about 1.45 pm Police received information through informer that the applicant having a knife was threatening the people of dire consequences near wine shop, Lalpur, Khairagarh. On the basis of said information Police party reached the spot, seized the knife and arrested him.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant is a permanent resident of Khairagarh and there is no likelihood of his absconding. He would further submit that the charge-sheet has been filed, he is in jail since 4-12-2020, conclusion of the trial is likely to take some time for its final disposal, therefore he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature of allegations made against the applicant, looking to the age of the present applicant, charge-sheet has been filed, detention period of the applicant, there is no likelihood of the applicant tampering with the evidence or absconding and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being

granted bail on the following 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.
- iv. he shall not involve himself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge

Raju