

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 759 of 2021

- Pradeep Kujur, S/o Kartik Ram, aged about 21 Years, R/o Lalghat, Bahadur Mohalla, Police Station Balco Nagar, Tahsil and District Korba, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Of Police Station Balcl Nagar, Korba, District Korba, Chhattisgarh.

----Non-applicant

For Applicant	Shri Anil Gulati, Advocate.
For State	Shri Anil Tripathi, P.L.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

02/03/2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.01/2020 registered at Police Station Balco Nagar, Korba, District Korba, C.G. for the offence punishable under Section 307, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant alongwith other co-accused assaulted the complainant, who is a police constable and he received certain injuries.
3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the injuries sustained by the victim were simple in nature. The applicant is in jail since 01.01.2020, conclusion of trial

is likely to take some time and that co-accused namely Shiva Laguri in this case has already been granted regular bail by the co-ordinate Bench of this Court vide order dated 27.05.2020 passed in MCRC No.843 of 2020 and, therefore, the applicant be released on bail on the ground of parity.

4. Heard learned counsel for the parties and perused the case diary.
5. Considering the facts and circumstances of the case, the nature of allegations against the applicant and injuries sustained by the victim, further considering the detention period of the applicant, charge sheet has already been filed, the fact that the applicant has no criminal antecedent and that co-accused has already been granted regular bail by the co-ordinate Bench of this Court and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned trial Court, he shall be released on 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

Akhilesh