

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1036 of 2021

- Ranglal Baiga @ Charka S/o Baijnath Baiga Aged About 40 Years R/o Barhori, P.S. Janakpur Tahsil Bharatpur, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

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

--Non-Applicant

For Applicant	: Shri Akhtar Hussain, Advocate
For Non-Applicant/State	: Shri Vaibhav Singh, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

01.04.2021

1. The applicant has preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 21.12.2020 in connection with Crime No.166/2020, registered at Police Station- Janakpur, District Koriya (CG) for the offence punishable under Sections 294, 506, 323, 307 of the IPC.
2. Case of the prosecution is that the complainant has lodged a report that on 25.11.2020 at about 11.00 pm while his husband- Chhagga Baiga was returning after taking some household goods, the applicant abused him and assaulted him with hard and linear pointed object (trishul) due to which he received grievous injuries.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he has not committed any offence. He submits that the applicant is relative of the husband of the complainant and on account of some

dispute a report has been lodged against the applicant. He submits that the applicant has been arrested on 21.12.2021 and trial is likely to take some time for its final disposal, therefore, the applicant be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application. However, he submits that there is no criminal antecedent of the applicant.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to the nature of injury sustained by the victim Chhagga Baiga; detention period of the applicant; charge sheet has been filed and the applicant has no criminal antecedent and conclusion of 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 sureties of Rs.25,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-

(a) 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.

(b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(d) he shall not involve himself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge