

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1016 of 2021

- Kritik Jaiswal (wrongly mention as Kartik Jaiswal in the order sheet), Aged 18 years, S/o Sagar Jaiswal, R/o Village – Pendri Talab, P.S. & Tahsil – Lormi, District Mungeli (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – S.H.O. - Kota, District Bilaspur (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Hemant Gupta, Advocate
For Non-Applicant/State	:	Shri V.K. Agrawal, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

22.03.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 14.01.2021 in connection with Crime No. 18/2021 registered in Police Station- Kota, District Bilaspur (CG) for the offence punishable under Section 392 of IPC.
2. Allegation against the present applicant is that he looted Rs.30,000/-, one motorcycle and two mobile phones from complainant Vedprakash Yadav.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He submits that the applicant is in jail since 14.01.2021, charge-sheet has been filed and conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the fact that the applicant is the first offender, detention period of the applicant who is 18

years old and conclusion of the trial is likely to take some time, the applicant has no criminal antecedent as admitted by both the counsel, and that there is no apprehension of the applicant tampering with the evidence or absconding, without expressing any opinion on merits of the case, the bail application is allowed.

6. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge