

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2200 of 2021

1. Sanjay Rajak S/o Pardeshi Rajak, Aged About 22 Years, R/o Ganesh Nagar, Sirgitti, Police Station Sirgitti, Tahsil And District Bilaspur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Sirgitti, District Bilaspur (C.G.).

---- Non-Applicant

For Applicant	:	Ms. Amit Kumar, Advocate.
For Non-Applicant/State	:	Mr. Anand Verma, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

09/06/2021

- 1) The matter is heard through Video Conferencing.
- 2) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 02/03/2021 in connection with Crime No. 96/2021 registered at Police Station Sirgitti, District Bilaspur (C.G.) for the offence under Sections 394 of IPC.
- 3) Allegation against the present applicant is that he snatched the golden locket worn by the mother of the complainant. On report being lodged by the complainant Mahesh Kumar Gandharva, the aforesaid offence has been registered against the applicant. During investigation on the memorandum of the applicant the said golden locket was seized.
- 4) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that as the mother of the complainant accidentally dashed

by the vehicle of the applicant, there was dispute between the parties and a false complaint was lodged against him. He further submits that the applicant has been arrested on 02/03/2021 and trial is likely to take some time for its disposal due to Covid-19 Pandemic. Therefore, the applicant deserve to be released on bail.

- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) Heard learned counsel for the parties.
- 7) Considering the facts and circumstances of the case, the detention period of the applicant, the applicant is a young offender of 22 years, and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel and the trial is likely to take some time for disposal due to Covid-19 Pandemic, without commenting anything on merits of the case, the application is **allowed**. 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 strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority.
 - v. he shall not involve himself in any offence of similar nature in

future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant