

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2658 of 2021

- Niranjan S/o Gonda, Aged About 28 years, Caste – Urown, R/o Village – Kurdeng, Police Station – Bagicha, District Jashpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : Station House Officer, Police Station Bagicha, District Jashpur (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri Sanjeev Kumar Sahu, Advocate
For Non-Applicant/State	:	Shri B.P. Banjare, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

21.05.2021

1. The application is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 17.03.2021 in connection with Crime No. 114/2020 registered in Police Station- Bagicha, District Jashpur (CG) for the offence punishable under Section 498(A)/34 of IPC.
3. As per prosecution case, marriage of the present applicant was solemnized 21.05.2019 with the complainant. The allegation against the applicant is that the complainant was being subjected to cruelty and harassment by the applicant and his family members for demand of motorcycle and bolero vehicle. Further allegation is that after five months of marriage, the applicant and his family member expelled the complainant from their house. Therefore, the complainant lodged report against the applicant and other co-accused persons in Police Station Bagicha, District Jashpur under the aforementioned section of IPC.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 17.03.2021, charge-sheet has been filed and due to covid-19 pandemic, conclusion of the trial is

likely to take some time. Therefore, the applicant be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the detention period of the applicant who is 28 years old, charge-sheet has already been filed, due to covid-19 pandemic, conclusion of the trial is likely to take some, the applicant has no criminal antecedent as admitted by both the counsel and 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.
7. It is directed that in the event of 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:-
 - 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/her 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)
Vacation Judge