

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3297 of 2021

1. Purushottam S/o Koilriha, Aged About 44 Years,
2. Rameshwar S/o Koilriha, Aged About 34 Years,

Both by Caste Satnami, R/o Village Jajang Thana And Tahsil Sakti District- Janjgir-Champa (C.G.).

---- Applicants

Versus

1. The State Of Chhattisgarh, Through District Magistrate District Janjgir-Champa (C.G.).

---- Non-applicant

For Applicants	:	Mr. Parag Kotecha, Advocate.
For Non-Applicant/State	:	Mr. Anand Verma, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

10/06/2021

- 1) The matter is heard through Video Conferencing.
- 2) The applicants have preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 12/03/2021 in connection with Crime No. 81/2021 registered at Police Station Sakti District- Janjgir-Champa (C.G.) for the offence punishable under Section 294, 506, 323, 452/34 of IPC.
- 3) Case of the prosecution, in brief, is that on 11/03/2021 at around 6 PM the applicants in drunken condition forcibly entered the house of the complainant and due to land related dispute started abusing the father of the complainant namely Ratiram, threatened him of life and also assaulted him with hands, fists and bricks.
- 4) Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in the case. The

applicants were arrested on 12/03/2021. He also submits that the applicants have no criminal antecedents, charge has been filed and conclusion of trial is likely to take some time for its disposal. Therefore, the applicants be released on bail by this Court.

- 5) On the other hand, learned counsel for the respondent/State opposes the bail application. However, he submits that the applicants have no criminal antecedents.
- 6) Heard learned counsel for the parties.
- 7) Considering the facts and circumstances of the case, in particular the detention period of the applicants, charge sheet has been filed and the fact that the applicants have no criminal antecedents and there is no apprehension of the applicants tampering with the evidence or absconding as admitted by both the counsel and that conclusion of trial may take some time due to Covid-19, the application is **allowed**. It is directed that in the event **each** of the applicants 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, they shall be released on bail on the following conditions:-
 - i. they 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. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - iv. they shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority.
 - v. they shall not involve themselves 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 applicants involving themselves in similar offence in future.

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

Chandrakant