

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3556 of 2021**

- Suraj Sharma, S/o Shri Raju Sharma, aged about 35 Years, R/o Devrikhurd, Atal Awas, House No. 225, Police Station Torwa, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station Torwa, District Bilaspur, Chhattisgarh.

----Non-applicant

For Applicant	Shri Shivendu Pandya, Advocate.
For State	Shri Chitendra Singh, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****22/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.25/2021 registered at Police Station Torwa, District Bilaspur, C.G. for the offence punishable under Section 307 of Indian Penal Code.
3. As per the prosecution case, on 23.01.2021 at about 3:00 pm, applicant over a trivial issue with complainant, abused him filthily, assaulted upon him by sharp blade and also threatened him of life. On report to the above effect being lodged by the complainant, offence under the aforesaid section was registered

against the applicant.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that applicant is languishing in jail since 24.01.2021, charge sheet has already been filed and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of dispute giving rise to the incident, the nature of injury allegedly caused by the applicant, the fact that the injured remained hospitalized only for two days, the detention period of the applicant, who is 35 years old, charge sheet has been filed, the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic, conclusion of trial may take some time, 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 Government / State Government / 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

Akhilesh