

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7003 of 2021

- Nawal Ram son Rukhdev, aged about 22 years, resident of Village – Siharbudh, Police Station- Kansabel, District Jashpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through : the Incharge, Police Chowki- Dokda, Police Station- Kansabel, District - Jashpur (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri Prabhakar Tiwari, Advocate
For Non-Applicant/State	:	Shri Afroz Khan, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

28.10.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 20.08.2021 in connection with Crime No. 94/2021 registered in Police Chowki – Dokda, Police Station – Kansabel, District Jashpur (C.G.), for the offence punishable under Sections 380 & 457 of IPC and Sections 4, 6 & 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam.
2. As per prosecution story, complainant made a complaint before the Police Chowki Dokda to the effect that some unknown person stolen two bullocks of the complainant from his cowshed and cut the same and prepared meat near Arakansa jungle. During investigation, the police arrested the present applicant and recorded his memorandum statement.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 20.08.2021 and trial is likely to take some time for its final disposal. Therefore, the

applicant be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application and submits that the applicant has no criminal antecedents.
5. I have heard learned counsel for the parties.
6. Having regard to the facts and circumstances of the case, considering the detention period of the applicant who is 22 years old, the fact that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels and conclusion of trial may take some time, without commenting anything 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.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 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.
8. 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 nature of offence.

Sd/-

(Gautam Chourdiya)
Judge