

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7833 of 2021

1. Jagarnath Singh, S/o Sabiran Sai, Aged About 25 Years
2. Duryodhan Singh, S/o Sabiran Sai, Aged About 20 Years

Both are by Caste Gond, R/o Godhikala, Bhudupara, Police Station Patthalgaon, District Jashpur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Patthalgaon, District Jashpur, Chhattisgarh

---- Respondent

For Applicants
For Respondent

Mr. U.K.S. Chandel, Advocate
Mr. Devesh Verma, GA

Hon'ble Justice Shri Deepak Kumar Tiwari

Order On Board

26/10/2021

1. The applicants have preferred this first bail application under Section 439 of CrPC for grant of bail, as they are arrested in connection with Crime No.46/2021, registered at Police Station Pathalgaon, District Jashpur for the offence punishable under Sections 354, 323, 324 read with Section 34 of IPC.
2. The case of the prosecution in brief is that when the prosecutrix along with her elder sister and father went to the house of the applicants for taking back the dowry articles, the applicants caught hold the prosecutrix and caused injuries by

knife, thereby they committed the said offence.

3. Learned counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in the crime in question. He further submits that the offence is civil in nature and is between the family members. The applicants are in jail since 31.08.2021 and the trial is likely to take some time, therefore, the applicants may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, further considering the relationship between the parties, the applicants are in jail since 31.08.2021 and the trial is likely to take sometimes, this Court is of the opinion that the present is a fit case to release the applicants on regular bail.
7. Accordingly, the bail application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of ₹ 10,000/- with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed, subject to following conditions:

(I) The applicants shall furnish a copy of Aadhar

Card and full size coloured photograph at the time of furnishing bail.

(II) The applicants shall furnish a specific undertaking that while on bail, they will not commit any excise offence, otherwise bail granted to them shall be liable to be cancelled and shall cooperate the prosecution during trial.

(III) The accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/ applicants 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 facts to the Court or to any police officer.

(IV) The accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Sd/-
Deepak Kumar Tiwari
Judge

Nirala