

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8811 of 2020**

- Indrajeet Singh @ Takli S/o Shri Charanjeet Singh, aged about 19 years, R/o 20-F, KLS, Ward No. 31 Zone-2, Sector-11, Khursipar Bhilai, Police Station Khursipar, District- Durg (C.G.) **(Details of Applicant are not mentioned in impugned order Sheet).**

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station : Khursipar, District: Durg (C.G.).

---- Respondent

For Applicant	: Shri Anil Tawadkar, Advocate
For Respondent/State	: Shri Vimlesh Vajpai, G. A.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****07/01/2021**

- 1) Heard
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 20.09.2020 in connection with Crime No. 512/2020 registered at Police Station- Khursipar, District- Durg (C.G.) for the offence punishable under Sections 307, 294, 506, 323/34 of Indian Penal Code.
- 3) Case of the prosecution in brief is that on 26.07.2020 the complainant namely- Jitendra Singh lodged a report to the effect that on the said date at about 9.30 pm when he went to public toilet near Bababalak Mandir, Laxminarayan, Takli (present applicant) and Aman quarrel with him saying as to why he has come here and also abused him filthily. When the complainant was talking with his friends namely- Chinna & Ramjan Ali, at that time accused persons came there, Laxminaryan assaulted Chinna with knife, present

applicant assaulted Ramjan Ali with knife and accused- Aman assaulted them with hands & fist. On *hue & cry* raised by the victims the accused persons ran away from the spot.

- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. The charge sheet has been filed and the applicant is in jail since 20.09.2020. It is also submitted that trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.
- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of injuries found on the body of Ramjan Ali allegedly caused by the present applicant, in particular the fact that victims- Ramjan Ali & Chinna on affidavit stated before the trial Court that they have no objection to release of the present applicant on bail, charge-sheet has been filed, the fact that the present applicant is in jail since 20.09.2020 and trial is likely to take some time for its final disposal, without commenting merits of the case, the application is allowed. It is directed that in the event of the 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 not involve himself in any offence of similar nature in future.

Certified copy as per rules

Sd/-
(Gautam Chourdiya)
Judge

