

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9145 of 2020

- Indal @ Sonu Kumar Sonwani S/o Kanhaiya Aged About 24 Years R/o Bhalpahari, Police Station Hardibazar, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Hirri, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

--Non-Applicant

For Applicant	:	Shri V.P. Kaushik, Advocate
For Non-Applicant/State	:	Shri Sameer Uraon, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/02/2021

1. The applicant has preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 27.10.2020 in connection with Crime No.155/2020, registered at Police Station- Hirri, District -Bilaspur(CG) for the offence punishable under Sections 379, 34 of the IPC.
2. Case of the prosecution is that the complainant Vajul Khan lodged a report that on 13.10.2020 he was driving the vehicle of Tanushri Company Baloda Bazar and while returning from Augrangabad, gear of the vehicle was broken and he stands the vehicle near village Hardi on N.H.-130 for repairing the engine then some unknown person had theft tire disc of Rs.80,000/- from his vehicle. A report was lodged and the applicant was taken into custody.
3. Learned counsel for the applicant submits that the applicant has

been falsely implicated in the crime in question and he has not committed any offence. He submits that there is no direct evidence against the applicant and the report was lodged against unknown person. He submits that the applicant is in jail since 27.10.2020 and conclusion of trial is likely to take some time, therefore, the applicant may be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application. However, he submits that there are two criminal antecedents registered against the applicant in the year 2020.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and further considering that charge sheet has not been filed; detention period of the applicant; and conclusion of trial may take some time, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed.
6. 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:-
7. (a) 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.
(b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
(c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
(d) he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

9. 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 in future.

Sd/

(Gautam Chourdiya)
Judge

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