

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8832 of 2020**

- Santosh S/o- Banwarilal, aged- 29 years, Cast- Chamaar, R/o- Village- Kerabakra, P.S.- Kelhari, Tahsil- Manendragarh, Dist- Koriya (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, P.S.- Kelhari, Dist- Koriya (C.G.)

---- Respondent

For Applicant	: Shri Akhtar Husain, Advocate
For Respondent/State	: Dr. (Ms.) Veena Nair, Dy. A. G.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****06/01/2021**

- 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 09.09.2020 in connection with Crime No. 82/2020 registered at Police Station Kelhari, Dist.- Koriya (C.G.) for the offence punishable under Sections 498-A, 307, 294, 506, 323 and 34 of Indian Penal Code.
- 3) The allegation against the present applicant is that the present applicant who is the husband of the complainant Smt. Jaimanti alongwith other co-accused threatened the complainant and the present applicant demanded money from her and abused her and tried to kill her due to which she (complainant) became unconscious. After three days of the incident the applicant again repeated the same incident, the complainant got scared and ran away to her parental house and lodged a written

complainant.

- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. It is also submitted that the charge sheet has been filed and the applicant is in jail since 09.09.2020. He further submits that trial is likely to take some time for its final disposal and he has no criminal antecedent. 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 fact that no any injuries found on the body of the complainant, charge-sheet has been filed, the fact that the present applicant is jail since 09.09.2020 and trial is likely to take some time for its final disposal, applicant has no criminal antecedent as admitted by counsel for both the parties the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- 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

