

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9099 of 2020

1. Jyoti Chakradhari D/o Lt. Jay Prakash Chakradhari, aged about 17 years, (wrongly mentioned as 18 years in bail rejection order), R/o Nagpani, P.S. Khadgawa, District Koriya (C.G.)
2. Pradeep Chakradhari S/o Ravishankar, aged about 25 years, R/o Pondi Nawapara, P.S. Pondi, District Koriya (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through: Station House Officer, P.S. Khadgawa, District Koriya (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Sushobhit Singh, Advocate
For Non-Applicant/State	:	Shri Dinesh Kumar Tiwari, Deputy Government Advocate

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

15.01.2021

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 20.11.2020 in connection with Crime No. 275/2020 registered in Police Station- Khadgawa, District Koriya (CG) for the offence punishable under Sections 294, 506, 323, 324, 326, 307 read with Section 34 of IPC.
2. Allegation against the present applicants is that they assaulted upon complainant Satyanarayan by means of knife. Counter allegation made by applicant No.1 Jyoti Chakradhari that she was subjected to sexual assault by complainant Satyanarayan.
3. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in the crime in question. He also submits that the applicants are the first offenders. He submits that the applicants are in jail since 20.11.2020 and conclusion of the trial is likely to

take some time, therefore, the applicants be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the fact that the complainant was discharged from the hospital and only one assault was made upon the complainant by the applicants, and that the applicants have no criminal antecedents except this crime as admitted by both the counsel, they are in jail since 20.11.2020, conclusion of the trial is likely to take some time, without expressing any opinion on merits of the case, the bail application is allowed.
6. It is directed that in the event of each of the applicants 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, they shall be released on bail on the following conditions:-
 - i. they 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. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge