

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9028 of 2020

- Daddu Soni @ Yashwant Soni, S/o Ram Prasad Soni, aged about 25 years, R/o Ward No. 6, Baniyapara, Ratanpur, P.S. Ratanpur, District Bilaspur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, through Police Station Ratanpur, District Bilaspur (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Prasoon Agrawal, Advocate
For Non-Applicant/State	:	Smt. Shubha Shrivastava, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

13.01.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 25.11.2020 in connection with Crime No. 631/2020 registered in Police Station- Ratanpur, District Bilaspur (CG) for the offence punishable under Section 392 of IPC.
2. Allegation against the present applicant is that he had forcibly looted Rs.4,000/-, photo, Aadhar Card from the complainant. When the complainant resisted the applicant, he threatened him of life.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He submits that the applicant is in jail since 25.11.2020 and conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant has criminal antecedents.
5. Considering the facts and circumstances of the case, the fact that the

applicant is in jail since 25.11.2020, offence is triable by Magistrate and 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 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge