

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9025 of 2020

- Dhani Ram Pando, aged about 55 years S/o Late Jangi Ram Pando, R/o Village Naan Damali (Paseen Pani), P.S. Darima, District Surguja (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, through Station House Officer, P.S. - Darima, District Surguja (C.G.)

---- State/Non-applicant

For Applicant : Shri A.N. Bhakta, Advocate

For Non-Applicant/State : Shri Vimlesh Bajpai, Government Advocate

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 12.05.2020 in connection with Crime No. 52/2020 registered in Police Station- Darima, District Sarguja (CG) for the offence punishable under Sections 294, 506 & 307 of IPC.
2. The present applicant is father-in-law of the complainant. Allegation against the applicant is that he assaulted the complainant by means of *tabbal* as a result of which complainant sustained one injury on his shoulder.
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 12.05.2020 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.

5. Considering the facts and circumstances of the case, particularly considering the nature of injury sustained by the complainant i.e. one injury on shoulder, the applicant has no criminal antecedents as admitted by both the counsel, the applicant and the complainant are relative being father-in-law and son-in-law, that the applicant is in jail since 12.05.2020 and conclusion of the trial is likely to take some time, without expressing any opinion on merits of the case, the application is allowed.
6. It is directed that in the event of 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge