

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9081 of 2020

1. Janeshwar @ Jane Kurre, S/o Bhakulal Kurre, aged about 24 years
2. Vikas Sarthi, S/o Bahadur Sarthi, aged about 28 years
Both R/o Satnami Para Gharghoda, Police Station Gharghoda, Tahsil Gharghoda, District Raigarh (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through Police Station- Gharghoda, District- Raigarh (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Rohitashva Singh, Advocate
For Non-Applicant/State	:	Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

14.01.2021

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 11.11.2020 in connection with Crime No. 267/2020 registered in Police Station- Gharghoda, District Raigarh (CG) for the offence punishable under Sections 294, 458, 506 read with Section 34 of IPC and Sections 25 & 27 of the Arms Act.
2. Allegation against the present applicants is that on 09.11.2020 at about 08:00 pm the applicants came in a Wagon R Car armed with sword and club (*danda*) to the house of complainant Raja Khan and they entered into the house abusing him and threatened him of life.
3. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in the crime in question. He submits that the applicants are in jail since 11.11.2020 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 applicants have no criminal antecedents as admitted by both the counsel, they are in jail since 11.11.2020 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 each of the applicants 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, 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