

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9282 of 2020

- Shyam Bilas S/o Son Sai, aged about 27 years, R/o Village- Tendutikra, P.S. Udaypur, District Sarguja (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : Station House Officer, Police Station Udaypur, District Ambikapur (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri Awadh Tripathi, Advocate
For Respondent/State	:	Ms. Seema Dixit, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

29.01.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 26.09.2019 in connection with Crime No. 87/2019 registered in Police Station- Udaypur, District Ambikapur (CG) for the offence punishable under Sections 294, 506-B & 307 of IPC.
2. Allegation against the present applicant is that on the date of incident, he was abusing and threatening the victim and assaulted the victim by means of knife on his stomach.
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 also submits that the applicant is in jail since 29.09.2019, charge-sheet has been filed 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. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to the MLC report, bed-head-ticket of the victim, nature of injury sustained by him, the detention period of the applicant, charge-sheet has already been filed, conclusion of the trial is likely

to take some time and that there is no apprehension of the applicant tampering with the evidence or absconding and he has no criminal antecedent as admitted by both the counsel, 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.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

vatti