

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 8413 of 2021**

Ajay Tandan S/o Sopal Aged About 37 Years R/o Village Daganiya, Police Chowki Malhar, Police Station And Tahsil Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Office, Police Station Masturi, District- Bilaspur, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Anukul Biswas, Advocate
For State	:	Mr. Aditya Bhardwaj, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/12/2021**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 94/2021 registered at Police Station Masturi, District Bilaspur, Chhattisgarh for the offence punishable under Sections 294, 506-B, 323, 450, 307, 147 & 148 of Indian Penal Code. The present applicant is in jail since 06.10.2021.
2. The case of the prosecution in brief is that the present applicant along with other accused persons is said to have entered into the house of the complainant and have assaulted the complainant and his family members with the aid of lathi, danda and rod. As a result of which the six members in the family of the complainant received injuries.
3. Counsel for the applicant submits that it is a case where the main accused i.e. Sanjay Kurrey, Rajesh Kurrey, Bhav Singh Kurrey and Lalla @ Dharendra Tandone have already been enlarged on bail by

this Court and the case of the present applicant being identical in nature, he be also extended the benefit of bail.

4. State counsel on the other hand opposing the bail application submits that the present applicant at the initial stage was absconding and with great difficulty he could be arrested on 06.10.2021 and therefore his case cannot be compared with the persons who were immediately arrested and who have been released on bail by the order of Coordinate Bench of this Court.
5. On a query being put to the counsel for the State, he fairly submits that the nature of allegation leveled against the applicant is identical and similar to those which have been alleged against the accused persons, who have been enlarged on bail.
6. Given the aforesaid submissions by the counsel for the State and also perusal of the contents of the case diary, this Court is of the opinion that the applicant herein also deserves to be enlarged on bail in similar terms as has been extended to the co-accused in the present case.
7. It is directed that in the event of each of the applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- to the satisfaction of the concerned Trial Court, he shall be released on bail, on 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/her 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 strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.

v. he shall not involve himself in any offence of similar nature in future.

8. In the result, the present MCRC is allowed on the above terms and conditions.

Sd/-
(P. Sam Koshy)
Judge

Ved