

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.8908 of 2021**

- Sonu Saura Aged About 22 Years R/o Village Transport Nagar, Boramdev Chowk, Behind Ravel Dhaba, Kawardha, District- Kabirdham, Chhattisgarh.

---- Applicant (In Jail)**Versus**

- State Of Chhattisgarh Through- Police Chowki Jalbandha, Police Station Khairagarh, District- Rajnandgaon Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Abhishek Pandey, Advocate
For Respondent/State	:	Shri Ashish Gupta, Panel Lawyer

Hon'ble Shri Justice Sanjay S. Agrawal
Order On Board

17/12/2021

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.320/2021 registered at Police Chowki-Jalbandha, Police Station Khairagarh, District Rajnandgaon for the offence punishable under Section 25 & 27 of the Arms Act.
2. According to the case of the prosecution, an information was received by the concerned police station on 01-09-2021 that at about 19.10 Hours, the present applicant is carrying knife and waving the same in the air, in order to threat the common people and owing to the alleged act of the applicant, the situation of fear has occurred at the said place of incident. After investigating the matter, the concerned police has arrested the applicant and recovered knife from him at the place of incident.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged crime. It is contended further that the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the prosecution evidence or absconding. It is also contended that as the applicant is in jail since 01-09-2021 and trial is likely to take some time for final disposal, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposed the prayer for grant of bail. He submits further, based upon the information, that the applicant has no criminal antecedents.

5. I have heard learned counsel for the parties and perused the entire charge sheet carefully.

6. Having regard to the facts and circumstances of the case, considering the detention period of the applicant, who is in jail since 01-09-2021 and, the fact that the applicant has no criminal antecedents and there is no likelihood of him tampering with the prosecution evidence and conclusion of the trial may take some time, without commenting anything on the merits of the case, I am inclined to allow the bail application.

7. Accordingly, the bail application is allowed and, it is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.50,000/- along with two surety of Rs,20,000/- each to the satisfaction of the concerned trial Court on the following conditions:

(I) He shall not act in any manner, which shall be prejudicial to the fair and expeditious trial;

(II) 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 facts to the Court;

(III) he shall appear before the trial Court regularly on each and every date, till disposal of the trial;

(IV) he shall not involve himself in any of the similar offence in near future.

Let a copy of this order be forwarded to the concerned Police Station forthwith, who shall inform the trial Court in the event of the applicant involving himself in similar nature of offence.

SD/-
(Sanjay S. Agrawal)
J U D G E