

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9667 of 2021

Ronak Jadhav S/o Basant Jadav Aged About 20 Years R/o Gorinagar, Behind F. C. I. Godown, O. P. Chikhali, P. S. Kotwali, Rajnandgaon Tahsil And District Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, O. P. Chikhali, P. S. Kotwali, Rajnandgaon District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	:	Shri Aditya Bharadwaj, Advocate
For Respondent – State	:	Shri Jitendra Shukla, PL for the State

Hon'ble Shri Justice Deepak Kumar Tiwari

Order On Board

20.12.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.411/2021, registered at Police Station Kotwali, District – Rajnandgaon (CG) for the offence punishable under Sections 294, 323, 327, 506, 34, 324, 325 of the IPC and Section 25 of the Arms Act.
2. As per the prosecution case, on 17.07.2021 the applicant and the other co-accused had assaulted the victim/Lavkumar, when he refused to give them money for liquor.
3. Learned counsel for the applicant submits that the applicant is innocent and he is falsely implicated in the present case. He further submits that the applicant has not assaulted the victim and no recovery has been made from

his possession. It is submitted that the other co-accused namely Karan Mahobiya has already been enlarged on bail in MCRC No.9998/2021 vide order dated 16.12.2021. The present applicant is a young boy aged about 20 years and he is in jail since 13.09.2021 and trial is likely to take some time, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, particularly considering that the applicant is in jail since 13.09.2021, charge sheet has been filed and further that there is no likelihood of the applicant tampering with the prosecution evidence or absconding, the offence is triable by JMFC and conclusion of trial may take some time, the application is allowed.
6. It is directed that in the event of the Applicant's executing a personal bond for a sum of Rs.5,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions :-

- (a) 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.
- (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial,
- (d) he shall not involve himself in any offence of similar nature in future.

Sd/-

(Deepak Kumar Tiwari)
Judge