

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1740 of 2015**

1. Ram Gopal Dahariya S/o Dilharan, Aged About 30 years, R/O Buchi Hardi, Police Station Baloda, Tahsil Akaltara, Civil And Revenue District Janjgir-Champa (Chhattisgarh)

**---- Applicant**

**Versus**

1. State Of Chhattisgarh, Through: The Station House Officer, Police Station Bhilai Nagar Sector-6, Civil And Revenue District Durg, (Chhattisgarh)

**---- Respondent**

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| For Applicant. -      | Mr. J.R. Verma, counsel.         |
| For Respondent/State. | Mr. Mahesh Mishra, Panel Lawyer. |

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**Hon'ble Shri Justice T. P. Sharma**

**Order On Board**  
**(12/05/2015)**

- (1) The applicant has filed this application under Section 439 of the Cr.P.C. for grant of regular bail, as he is in custody in connection with Crime No.80/2012, registered at Police Station: Bhilai Nagar, Section 6, for the offence punishable under Sections 420, 120(B), 34 of the IPC.
- (2) This is the 4th bail application filed on behalf of the applicant for grant of regular bail. Previous bail applications have been dismissed on merit.
- (3) Learned counsel for the applicant submits that applicant is in custody since 11.05.2014. He further submits that case is triable by J.M.F.C.. The trial Court has not concluded the trial of the case within stipulated time.
- (4) On the other hand, learned Panel Lawyer for the State oppose the bail application and submits that previous three bail applications filed on behalf of applicant have already been dismissed.
- (5) Order dated 01.12.2014 passed by the 2nd Additional Sessions Judge, Durg, in Bail Petition No.1618/2014 perused, which discloses that on

account of frequent transfer of judges and non service of summon, trial Court has not concluded the trial of the case and applicant is still languishing in jail. The trial of case will take some time for its conclusion.

- (6) Considering long period of detention and the case is triable by J.M.F.C., I am of the view that it is a fit case to enlarge the applicant on bail. Accordingly, bail application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with two solvent sureties of Rs.25,000/- each to the satisfaction of the trial Court concerned. He shall appear before the said Court as and when directed by the said Court. In case of two regular defaults, this bail order shall stand cancelled automatically.
- (7) At the time of accepting bail bond, the Court concerned shall minutely verify that whether any bail application has been decided previously by the High Court or the Supreme Court and in case the Court finds that previous bail application has been decided, the order shall automatically stand cancelled.
- (8) At the time of accepting the bail bonds, appellant and sureties shall affix their latest photographs and certified copy of revenue records. The Court concerned shall also submit compliance report within 15 days of its compliance to the Registry of this Court.
- (9) Certified copy as per rule.

**J U D G E**