

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2487 of 2015

- Jeetram S/o Ankalha Yadav Aged About 32 years R/O Village Kanshitola, Police Station Gandai Civil & Revenue Distt. Rajnandgaon Chhattisgarh

---- Applicant

Versus

- The State of Chhattisgarh Through Police of police Station Gandai Civil & Revenue Distt. Rajnandgaon Chhattisgarh

---- Respondent

For Applicant

Shri Akhilesh Kumar, Advocate

For Respondent/State

Shri Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/06/2015

Heard learned counsel for the parties.

1. The applicant has preferred this fifth bail application for grant of bail as he is arrested in connection with Crime No.98/2013 registered in Police Station Gandai, District Rajnandgaon for offence under Sections 294, 323, 506-II, 307 and 325 of the Indian Penal Code.
2. Although the matter is listed at motion stage, however, the case diary is available, therefore, with the consent of counsel for the parties, the matter is heard finally.

3. While rejecting the applicant's earlier prayer for grant of bail on merit this Court had granted liberty to the applicant to move again before this Court after examination of the injured namely; Girivar Yadav.
4. Injured-Girivar Yadav who has suffered a lacerated wound on parietal region allegedly inflicted by the applicant by means of axe has not turned up before the trial Court for recording his evidence, despite issuance of bailable warrant against him. The applicant is in detention since 19-8-2013, thus he has already suffered pre-trial detention of about one year ten months. Earlier the applicant was released on temporary bail on account of death of his mother. At the end of said temporary bail period, the applicant surrendered before the concerned authority as per the directions of the Court. The co-accused namely; Vedram Yadav has been directed to be released on bail by the Supreme Court by order dated 11-5-2015 passed in SLP (Cr.) No.3484 of 2015.
5. Considering the aforesaid facts and circumstances of the case, the application for grant of bail is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
6. Certified copy as per rules.

Sd/-
Prashant Kumar Mishra
Judge