

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6658 of 2015

Mohsin Ahmad Khan, son of Akhtar Chand, aged about 30 years (wrongly mentioned as 19 years in the rejection order) resident of Mayapur, Ambikapur, Police Station Ambikapur, District Surguja (C.G) ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Police Station Ambikapur, District Surguja (C.G) ... **Respondent**

For the applicant	:	Mr. D. N. Prajapati, Advocate.
For the Respondent	:	Mr. Sameer Behar, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 142/2011 registered at Police Station Ambikapur, Distt. Sarguja (C.G) for the offences punishable u/ss 354, 147, 148, 149, 294, 506-B, 324/34, 324/34, 324/34, 308/34, 308/34, 308/34, 342/34, 342/34, 342/34 of IPC.
2. It is a case of bail jump. Learned counsel for the applicant submits that earlier the applicant was granted bail on 15.04.2014 and was directed to appear before the trial Court during trial, however, on 19.08.2015 he could not appear before the trial Court as he met with accident and sustained grievous injuries and due to no-appearance of the applicant on 19.08.2015, the trial Court issued warrant of arrest against him and thereafter he himself surrendered on 19.10.2015. Learned counsel for the applicant submits that the applicant is in jail since 19.10.2015 and looking to the detention, he may be enlarged on bail.
3. Per contra, learned State Counsel opposes the bail application.
4. Having regard to the fact that earlier on 15.04.2014 the applicant was

enlarged on bail and thereafter he could not appear on 19.08.2015, however, he himself surrendered on 19.10.2015 and still he is in jail and thus taking into totality of the facts and circumstances, I am inclined to release him on bail.

5. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
6. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao