

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7011 of 2015

Krishna Chaudhari, S/o Ram Ashare, Aged About 30 Years, R/o 56 Dafai, Khogapani, Thana Jhagrakhand, Manendragarh, Civil & Revenue District Korla, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer Jhagrakhand, Civil & Revenue District Korla, Chhattisgarh

---- Respondent

For Applicant : Ms. Sonia Kuldeep, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/12/2015

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.111/2012, registered at Police Station– Jhagrakhand, District Korla (C.G.) for the offence punishable under Section 498-A, 307, 212/34 of Indian Penal Code.
2. This is a case of bail jump. Earlier the applicant was enlarged on bail, however, he jumped the bail on 21.10.2014. Subsequently, he defaulted in appearance thereafter he was again arrested and was granted bail on 23.02.2015. Subsequently, he again absented from 26.06.2015 onwards and therefore the bail was canceled and he was arrested and he is in jail since 21.09.2015.
3. Learned counsel for the applicant submits that the applicant absented because of the fact that some relative of the applicant died and the necessary application was also filed, however, the Court below did not consider and rejected the application. She

further submits that the applicant is in jail since 21.09.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicant was earlier granted bail and considering the detention of the applicant as he is in jail since 21.09.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge