

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3307 of 2015

- Gopal Singh s/o. Sidar Singh aged about 32 years, Caste Kanwar, r/o. Village Jata, Police Station Champa, Civil & Revenue District Janjgir-Champa (CG), presently r/o. Bajirao Mahrapara, Raigarh, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through: the District Magistrate/Station House Officer, Police Station Dabhra, Civil and Revenue District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anurag Jha, Advocate.
For Respondent/State	:	Mr. Qamrul Aziz, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 9-6-2015 in connection with Crime No. 83 of 1999 registered at Police Station Dabhra, District Janjgir-Champa (CG), for the offence punishable under Section 34(1)(A) of Chhattisgarh Excise Act and Section 3/181 of Motor Vehicle Act.
2. Earlier the applicant was granted bail. He jumped the bail for the first time on 25-6-2001 and again on 19-5-2009 thereafter only by standing warrant of arrest his presence could be secured on 9-6-2015.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence, the applicant is an innocent person, he has gone to other State for his livelihood, therefore, he could not appear before the trial Court. He would

further submit that the applicant is in jail since 9-6-2015 and no useful purpose would be served by detaining him in jail, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposing the bail application would submit that the applicant misused the liberty granted to him earlier, therefore, he is not entitled to be released on bail.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence and further considering the fairly long absence of the applicant, I am of the considered opinion that *prima facie* it is not a fit case where the applicant can be released on bail.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
Judge