

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5990 of 2015

Bhunesh @ Bhuneshwar Padauti, son of Shivnath Padauti, aged about 45 years, r/o village Rigahatola, Police Station and Post Chhuriya, Civil and Revenue District Rajnandgaon (C.G).

--- Applicant

Versus

State of Chhattisgarh through the Police Station Chilphi, District Kabirdham (C.G).

--- Non-applicant

For the applicant	:	Mr. Manoj Paranjpe, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 12/2004 registered at P.S. Chilphi, District Kabirdham (C.G) for the offence punishable under Sections 170 of IPC.
2. This is a case of bail jump. As per the prosecution case, a case was registered against the applicant u/s 170 IPC and he was granted bail on 05.10.2004 and thereafter he jumped the bail in 2004 and his bail was cancelled and subsequently he was released on bail. Thereafter in the year 2015 again he jumped bail and therefore he was arrested on 26.07.2015 and since then, he is in jail. He prays that considering the detention of the applicant, he may be released on regular bail.
3. Learned counsel for the applicants submit that only the allegation against him is that he jumped the bail as he remained absent on 05.03.2015 and ultimately he was arrested on 26.07.2015. He, therefore, prays that the applicant may be released on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of

bail.

5. A perusal of the order sheets shows that in the year 2004, he jumped the bail, therefore, he was arrested and was subsequently released on bail. Thereafter on 05.03.2015 he again jumped the bail and was arrested on 26.07.2015.
6. Having gone through the order which shows that on 05.03.2015 the applicant jumped the bail for the second time and he was arrested on 26.07.2015 and considering the fact that he is in detention since 26.07.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application 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 on each and every date as may be given by the said court.
8. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE