

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6325 of 2015

Raja Thapa S/o Late Nanadlal Aged About 40 Years R/o Sakin Bada
Ashok Nagar, Thana Gudhiyari Civil Distt. & Revenue Distt. Raipur
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through, Police Station Gudhiyari, Civil &
Revenue Distt. Raipur Chhattisgarh

---- Respondent

For Applicant	:-	Shri Akhilesh Kumar, Advocate.
For Respondent/ State	:-	Shri S.R. J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

26/11/2015

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 Criminal Case No. 655 of 2011 pending before Judicial Magistrate First Class- Raipur, for the offence punishable under Sections 379 read with section 34 of IPC.
2. It is the case of bail jump, the applicant was arrested on 27.08.2015 initially for the offence punishable under section 379 read with section 34 of IPC wherein he was granted bail. Subsequently, on 23.07.2010 he is being absent thereafter an arrest warrant was issued against the applicant on 27.08.2015 and he was arrested and sent for jail.
3. Counsel for the applicant submits that the applicant is a labour and he went for his livelihood therefore, he could not appear before the Court on the said date and prays for bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that the applicant was on bail earlier and he is in jail since 27.08.2015, I am of the opinion that it is a fit case where the present applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Santosh