

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 7281 of 2015**

Narayan S/o Khuman Gond, R/o village Suradabri, Post Office,  
Police Station & Tahsil Chhuikhadan, District Rajnandgaon (CG)

---- Applicant

**Versus**

State of Chhattisgarh through the Station House Officer, Police  
Station Chhuikhadan, District Rajnandgaon (Chhattisgarh).

---- Respondent

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|----------------------|---|--------------------------------|
| For Applicant        | : | Shri Abhishek Sharma, Advocate |
| For Respondent/State | : | Shri Bhaskar Payashi, P.L.     |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****14/12/2015**

This is the second bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 13.10.2015 in connection with Crime No. 174 of 2014 registered at PS Chhuikhadan, District Rajnandgaon for the offence punishable under Section 34 (2) of the Excise Act.

2. The applicant had initially moved an application for grant of bail before this Court registered as M.Cr.C. No.4168 of 2014 wherein he was granted bail vide order dated 20.08.2014, based upon which, the applicant was released on bail on 22.08.2014.

3. Counsel for the applicant submits that the applicant was regularly appearing before the concerned trial Court, however, on account of mis-communication on the part of the lawyer, he could not appear on 08.04.2014 and therefore the applicant was again arrested on 13.10.2015. He submits that the non-appearance of the applicant was not deliberate and therefore, he may be released on bail.

4. Per contra, counsel for the State opposes the application for grant of bail.

5. Considering the entire facts and circumstances of the case, this Court is of the opinion that it is a fit case where the applicant can be released on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of

Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-  
(P. Sam Koshy)  
JUDGE**

Bhola