

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5673 of 2015**

Kamta Gond, S/o Shri Sonsay Gond, aged about 24 years, R/o Village Laxaman Bhadra, Police Station & Tahsil Dongargaon, Revenue & Civil District Rajnandgaon (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Dongargaon, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant : Shri S.S. Baghel, Advocate
For Non-applicant : Shri Avinash Singh, Panel Lawyer
for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/10/2015**

- (1) Heard on admission.
- (2) Admit.
- (3) Issue notice.
- (4) Shri Avinash Singh, Panel Lawyer accepts notice on behalf of the State.
- (5) With the consent of the parties, the matter is heard finally.
- (6) This is the second 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.18/2015 registered at

Police Station Dongargaon, District Rajnandgaon, for the offence punishable under Section 354 of the Indian Penal Code and Sections 4 & 7 of the Protection of Children from Sexual Offences Act, 2012.

(7) It is alleged that applicant was granted bail by this Court on 09.03.2015 passed in M.Cr.C.No.883/2015 and thereafter, the applicant was regularly appeared before the concerned Court but he could not appear before the trial Court on 18.08.2015 and, therefore, warrant of arrest has been issued on 18.08.2015 and the applicant was arrested and his application under Section 70(2) of the CrPC for cancellation of the arrest warrant was also rejected on 30.09.2015.

(8) After hearing learned counsel appearing for the parties and taking into consideration the fact that his non-appearance before the trial Court concerned being unintentional and bonafide; this Court is of the opinion that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(9) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

(10) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-