

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 771 of 2016

- Surendar S/o Rajroop Pando Aged About 28 Years Caste Pando R/o Village Khatkaria, Karouti P.S. Baidhan, District - Baidhan (M.P.). (Note Father Name Wrongly Mentioned In Order Dated 18/09/2012).

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Raghunath Nagar, District Balrampur - Ramanujganj Chhattisgarh.

---- Non-Applicant

And

MCRC No. 792 Of 2016

- Surendar S/o Rajroop Pando Aged About 28 Years Caste - Pando R/o Village - Khatkaria, Karouti P.S.-Baidhan, District - Baidhan (M.P.) (Note MCRC No. Wrongly Mentioned In Order Dated 23/07/15 & Father Name Wrongly Mentioned In Order Dated 18/09/12)

---- Applicant

Vs

- State Of Chhattisgarh Through - Police Station - Raghunath Nagar, District - Balrampur - Ramanujganj, Chhattisgarh

---- Non-Applicant

For Applicant : Shri A.K. Yadav, Advocate.

For Non-Applicant: Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

12/02/2016

1. The applicant has preferred these bail applications under Section 439

of the CrPC for grant of bail, as he is arrested in connection with Crime Nos.115/2011 & 116/2011 registered at Police Station Raghunath Nagar, Police and Revenue District Balrampur, Civil District Surguja for offence under Sections 450, 395 and 398 of the IPC.

2. The applicant was earlier directed to be released under Section 439 CrPC by an order passed on 18.9.2012 in M.Cr.C. Nos.3159/2012 and 3161/2012. However, during the pendency of trial, the applicant did not attend the Court, therefore, his bail bond has been cancelled.
3. The applicant and other persons are alleged to have committed dacoity in the house of one Nandlal Jaiswal in M.Cr.C. No.3159/2012 and from the house of Arjun Sahu in M.Cr.C. No.3161/2012. In the first case, grocery articles like mustered oil, Parle-G biscuits, Bidi, Soap etc. worth Rs.1500/- cash and Rs.30,000/- has been looted and in the second case similar articles worth Rs.600/- and cash of Rs.800/- has been looted.
4. Learned State Counsel would oppose the prayer for grant of bail on submission that the applicant is the resident of district Baidhan in the State of Madhya Pradesh and there is apprehension that he may not make himself available for trial, thereby disposal of trial shall be delayed.
5. Considering the fact that the applicant had earlier remained in jail for about 8½ months and presently after his re-arrest, he is in jail for more than 7 months, as also considering the nature of allegations, value of

the looted articles etc., this Court is inclined to release the applicant on bail subject to the following conditions:-

(i) He shall furnish a personal bond in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the trial Court;

(ii) He shall attend each and every date of hearing before the trial Court;

(iii) After his release on bail, the applicant shall get his Aadhar Card prepared from the concerned District of which he is permanent resident and submit the same before the concerned Police and the trial Court within 2 months of his release;

(iv) After submission of Aadhar Card before the concerned Police Station and the trial Court, the applicant shall also submit compliance report before this Court within a period of 2 months, failing which his bail bonds shall be liable to be rejected and he shall be taken into custody.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve