

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3598 of 2016

- Omprakash S/o Sudama Soni Aged About 45 Years R/o Amalai, Basantpur Dafai, P.S. Amalai, Tahsil Budhar, Civil & Rev. District Shahdol (M.P.). --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station, Pendra, Civil & Rev. Distt. Bilaspur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Mirza Hafeez Baig, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Criminal Case no.291/2014 arising out of Crime No. 24/2004 registered at P.S. Pendra (C.G) for the offence punishable under Sections 420/34 of IPC.
2. This is a case of bail jump.
3. Learned counsel for the applicant submits that the applicant was informed by the counsel who was appearing on his behalf that the compromise has been effected, therefore, he did not appear before the Court and he is an illiterate person, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail and submits that the applicant is absent since 2004.
5. It appears that the applicant was absconding for 12 years, therefore, it is difficult to appreciate the argument advanced by counsel for the applicant that he was informed by the

counsel not to appear. Taking into allegations levelled against the applicant, I am not inclined to condone such long absence of 12 years. Accordingly, this bail application is rejected.

6. However, the learned Trial Court is requested to expedite the trial.

Sd/-

**GOUTAM BHADURI
JUDGE**

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