

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7700 of 2015

1. Ashwini Kumar, S/o. Ramnarayan Kushwaha, aged about 28 years, R/o. Behind G.M. Office, Jarhi, Police Station – Bhatgaon, District – Surajpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Incharge-Adim Jati Kalyan Thana, Surajpur, District – Surajpur (C.G.)

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.292/2009, registered at Police Station – Adim Jati Kalyan Thana, Surajpur, District – Surajpur (C.G.) for the offence punishable under Section 186, 294, 332, 353, 506(B)/34 of Indian Penal Code and Section 3 (1) (10) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.
2. This is the case of bail jump. Learned counsel for the applicant would submit that after the applicant was enlarged on bail, he continued appeared before the Court below till 2014 and subsequently on two dates, the applicant remained absent on 16.04.2014 and 17.06.2014. Learned counsel for the applicant further submits that the applicant is in jail since 04.11.2015, therefore, the counsel prays that he may be enlarged on bail.

3. Perusal of the order would show that the applicant was enlarged on bail. Subsequently, the applicant remained absent on 16.04.2014 and 17.06.2014, therefore, arrest warrant was issued and the record would show that the applicant has been arrested on 04.11.2015. Taking into the detention of the applicant and the fact that the applicant was enlarged on bail, I am inclined to allow this application and release the applicant on bail.
4. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
5. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
6. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge