

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4215 of 2016

Kalu @ David Tandi, S/o. Shri Upendra Nath Tandi, Aged About 22 Years,
R/o. Ganjpara, Near Water Tank, Ganj, Raipur, Post Office Raipur, Police
Station Ganj, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station
Abhanpur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.08.2016

1. This is the first 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.393/2011 registered at Police Station- Abhanpur, District Raipur (C.G.) for the offence punishable under Section 392/34 of Indian Penal Code.
2. This is a case of bail jump. The applicant was enlarged on bail on 03.03.2012 and subsequently he jumped the bail and the arrest warrant was issued and he has been arrested on 02.06.2016.
3. Learned counsel for the applicant would submit that this is a case of bail jump and only one default has been committed by the applicant, therefore, he may be released on bail, as he is in jail since 02.06.2016.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the order sheet. Considering the fact that the applicant is in jail since 02.06.2016 and earlier he was on bail and he defaulted only once, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge