

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4392 of 2016

Churaman Lal Sahu, aged about 25 years, S/o Shri Surendra Kumar Sahu,
R/o Village Dhiri, Police Station Somni, Pin – 491 441, Revenue Tah. &
Distt. Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Incharge, Police Station
Kotwali, Rajnandgaon – 491 441, Revenue Tah. & District Rajnandgaon
(C.G.)

---- Non-applicant

For Applicant:	Mr. V.G. Tamaskar, Advocate.
For Non-applicant:	Mr. Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/08/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.465/2014, registered at Police Station Kotwali, Rajnandgaon, Distt. Rajnandgaon, for the offence punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC.
2. This is the second bail application filed on behalf of the applicant for grant of regular bail. First bail application was dismissed by this Court vide order dated 1-12-2014 passed in M.Cr.C.No.5212/2014 with liberty to file after examination of material prosecution witnesses.
3. Case of the prosecution, in brief, is that co-accused Hemant Kumar Sahu obtained Rs.1,70,000/- from each of the complainants on 20-7-2013 in presence of witnesses through the present applicant.

4. Learned counsel for the applicant would submit that out of 14 witnesses, only 10 witnesses have been examined and they have not supported the case of the prosecution. The applicant is in jail since 27-5-2014.
5. On the other hand, learned State counsel would oppose the application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of applicant, considering the status of trial, the applicant is in jail for more than two years and trial is yet not concluded, I deem it appropriate to admit the applicant to regular bail. Accordingly, the application is allowed.
8. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge