

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6064 of 2016

Vishnu Prasad Soni, S/o Late Kamla Prasad, Aged About 52 Years,
R/o Ramnagar, Ward No. 12, Baloda, Police Station Baloda, District
Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Baloda, District
Janjgir Champa, Chhattisgarh.

---- Respondent

For applicant - Shri Pragalbha Sharma, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.174/2015 registered in Police Station Baloda, Distt. Janjgir Champa for offence punishable under section 20 (b) of Narcotic Drugs and Psychotropic Substances Act 1985.
2. This is a case of bail jump. The applicant was enlarged on bail on 3/11/2015. Subsequently, while the trial was going on he jumped the bail on 22/07/2016, as such his bail bonds were cancelled and arrest warrant was issued. Subsequently, order sheet shows that the applicant was arrested on 4/08/2016 and thereafter he was sent to jail.
3. Learned counsel for the applicant submits that for short period on 22/07/2016 the applicant was ailing as such he could not attend. Consequently, when the arrest warrant was issued, he himself surrendered before the court on 4/08/2016 immediately when he came to know that arrest warrant was issued, therefore non-appearance was bonafide and the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the order sheet which shows that arrest warrant was issued and applicant was arrested on 4/08/2016. Taking into fact that the applicant was earlier enlarged on bail and also taking into short period of his absence, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE