

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6306 of 2016

1. Pritam Nirmalkar, S/o. Agrahij Nirmalkar, aged about 40 years, R/o. Village-Mudipar, Near Railway Station, Rajnandgaon, District – Rajnandgaon (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Khamtarahie, District – Raipur (C.G.)

---- Respondent

For Applicant	: Mr. H.S. Ahluwalia, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/11/2016

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.229/2008, registered at Police Station – Khamtarahie, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 471 of Indian Penal Code.
2. This is the case of bail jump.
3. Learned counsel for the applicant submits that the applicant was enlarged on bail on 12.10.2009, subsequently, he defaulted to appear on 28.03.2016, consequently arrest warrant was issued against him and the applicant surrendered himself before the trial Court. It is further submitted that the applicant is in jail since 27.06.2016 and the applicant attended the Court from 2009 to 2016 regularly but one default was made, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail

application.

5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case and the fact that the earlier the applicant was enlarged on bail and he is in jail since 27.06.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge