

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7925 of 2016

1. Laxman Korwa, S/o. Gajanand Korwa, aged about 21 years, R/o. Village- Maheshpur Majhapara Post Sitapur, District – Sarguja (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Sitapur, District – Sarguja (C.G.)

---- Respondent

For Applicant	: Mr. Vineet Kumar Pandey, Advocate
For Respondent/State	: Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2016

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.120/2012, registered at Police Station – Sitapur, District – Sarguja (C.G.) for the offence punishable under Section 342, 363, 376, 366 of Indian Penal Code.
2. This is the case of bail jump.
3. The applicant was enlarged on bail. Subsequently, it is alleged that he could not attend the Court on 07.10.2016, therefore, arrest warrant was issued. Subsequently, the applicant was arrested on 10.11.2016, thereafter, he is in jail.

4. Learned counsel for the applicant submits that because the applicant was ailing on the date of his appearance on 07.10.2016, therefore, he could not appear before the Court and he is already in jail since 10.11.2016 and earlier he was granted bail, therefore, the counsel prays that the applicant may be enlarged on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. I have heard learned counsel appearing for the parties.
7. Perused the bail rejection order dated 21.11.2016, wherein it is stated that the applicant has been arrested on 10.11.2016. Considering the detention of the applicant and the fact that earlier he was enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. 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.
10. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge