

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8169 of 2016

Mahendra Das Mahant @ Motu @ Pramod, S/o. Khamhan Das, Aged About 46 Years, R/o. Budhwari Bazar, Beside Country Made Liquor Shop, Police Station Rampur, District Korba (Chhattisgarh), At Present Resident Of Hose Of Chandrakar, Near Sheetla Mandir, Tatibandh, Amanaka, Raipur, District Raipur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station- Amanaka, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vimlesh Bajpai, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.12.2016

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.529/2011 registered at Police Station- Amanaka, Raipur, District Raipur (C.G.) for the offence punishable under Section 395, 120-B of Indian Penal Code.
2. This is a case of bail jump. Perusal of the order shows that the applicant was earlier bailed; subsequently, he remained absent on 13.01.2015 and thereafter the arrest warrant was issued and consequent upon that the applicant was arrested on 12.11.2016.
3. Learned counsel for the applicant would submit that the applicant went outside to earn his livelihood, therefore, he jumped the bail. He further submits that the charge sheet has been filed and the applicant is in jail since 12.11.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that on earlier occasion the applicant was enlarged on bail and he is in jail since 12.11.2016, 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 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