

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8262 of 2016

- Laxman Prasad @ Anna S/o Ratnuram Nishad Aged About 27 Years R/o Dhudhwa, Thana Bhilai, District Durg, Chhattisgarh. Present Address Near The Sitla Mandir House Of The Chandrakr, Amanaka, Raipur, Chhattisgarh.

---- **Petitioner**

Versus

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

---- **Respondent**

For Applicant : Mr. B.L. Sahu, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21-12-2016

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 on 11-11-2016 in connection with Crime No. 529 of 2011, registered at Police Station Amanaka, District Raipur (CG) for the offence punishable under Section 395 and 120(B) of the IPC.
2. This is a case of bail jump. Perusal of the order shows that the applicant was earlier bailed, subsequently he remained absent on 13-1-2015 and thereafter the arrest warrant was issued and consequent upon that the applicant was arrested on 11-11-2016.
3. Learned counsel for the applicant would submit that the father of the applicant died, therefore, he went to Uttar Prasad and could not come back, therefore, he jumped the bail. He would further submit

that the charge sheet has been filed and the applicant is in jail since 11-11-2016, therefore, he may be released on bail.

4. On the other hand, 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 11-11-2016, 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 and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju