

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1035 of 2017

Johan @ John Kush S/o Raghuveer Kujur, aged about 34 years, (wrongly mention as 23 years) R/o Village Madanpur, Barbara, Police Station Pratappur, District Surajpur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station Ambikapur, District Sarguja, Chhattisgarh

---- Respondent

For Applicant	:	Shri Jitendra Shrivastava, Advocate
For Respondent /State	:	Shri Ashok Swarnkar, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

23/02/2017

This is the second bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 471/2001 registered at P.S. Ambikapur, Dist. Sarguja for the offence punishable under Sections 302 & 201/34 of IPC.

Counsel for the applicant submits that the applicant had got bail from this Court vide order dated 08.12.2005 in M.Cr.C. No. 2806/2005 but subsequently because of his default in appearance before the Court below, non-bailable warrant was issued against him and he was taken into custody on 02.09.2016 and since then he is in jail. Therefore, counsel for the applicant prays that the applicant may be released on bail.

Taking into consideration the total facts and circumstances of the case, this Court is of the opinion that it is a fit case where the present applicant can be released on bail.

Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P Sam Koshy)

Judge