

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1067 of 2017**

Lochan Bagh, S/o Shri Kailash Bagh, aged about 30 years, resident of Indatma Nagar Puraina, Lane No.4, near Madhuri Shop, Police Station Rajendranagar, Raipur, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Amanaka Raipur, Civil & Revenue District Raipur (CG).

---- Non-applicant

For Applicant : Shri Rekhraj Baghel, Advocate

For Non-applicant : Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/02/2017**

(1) Heard.

(2) This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant in connection with Crime No.91/2015, registered at Police Station Amanaka Raipur, Civil & Revenue District Raipur, for the offence punishable under Sections 307, 386, 353 & 294 r/w 34 of the IPC.

(3) Earlier, the applicant has been arrested on 05.06.2015 and he has been granted bail by order of this Court dated 28.09.2015 passed in M.Cr.C. No.5103 of 2015 and now again, he has been arrested on 22.08.2016.

(4) Learned counsel appearing for the applicant submits that the applicant was granted bail by order of this Court dated 28.09.2015 passed in M.Cr.C. No.5103 of 2015 and he has not misused the liberty granted to him by this Court and he regularly appeared before the trial Court on each and every date given to him by the said Court, but on 22.08.2016 he could not appear before the trial Court on account of illness for which, the learned trial Court issued warrant and arrested him.

(5) Taking into consideration the facts and circumstances of the case, role of the present applicant and the fact that the present applicant has not misused the liberty granted to him by this Court on 28.09.2015 passed in M.Cr.C. No. 5103 of 2015 and now again, he is in jail since 22.08.2016, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the second bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

(7) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-