

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1295 of 2017

- Jaswant @ Happy Singh Matharu S/o Joginder Singh Matharu, Aged About 38 Years R/o In Front Of Jairam Nagar Bazar, Masturi, Post Office Jairam Nagar Bazar, Masturi, Post Office Jairam Nagar, Police Station Masturi, District Bilaspur, Chhattisgarh. Present R/o R.D.A. Colony Block K / 316, House Owner Of P.S. Dubey, Post Office Raipur, Police Station Amanaka, Raipur, District Raipur, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Amanaka, District Raipur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent/State : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

7-3-2017

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 5-1-2017 in connection with Crime No. 529 of 2011, registered at Police Station Amanaka, District Raipur (CG) for the offence punishable under Sections 395 & 120(B) of the IPC.
2. It is a case of bail jump. Earlier the applicant was granted bail. The order sheet would reveal that on 19-5-2014 the applicant did not appear before the court below. Thereafter arrest warrant was issued against the applicant and he was arrested on 5-1-2017.
3. Learned counsel appearing for the applicant would submit that the applicant could not appear before the court below as there has

been some misunderstanding. He would further submit that the applicant is in jail since 5-1-2017, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case and further considering the fact that the applicant was granted earlier bail and he is in jail since 5-1-2017, this court is inclined to release the applicant on bail.
7. 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. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju