

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1820 of 2017

1. Giteshwar Prasad S/o Ghunaruram Dhirhe, Aged About 24 Years, Caste- Satnami, R/o Village Taulipali, Thana- Dabhra, Tehsil- Malkharauda, Civil & Revenue District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through -Police Station - Dabhra, Civil & Revenue District-Janjgir- Champa , Chhattisgarh.

---- Non-applicant

For Applicant – Shri Anand Kesharwani, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

03-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.408/2016 for the offence under Section 354 of the IPC on 21-02-2017. The charge sheet has been filed before the JMFC Dabhra, District Janjgir-Champa, C.G. and the matter is pending as Criminal Case No.66/2017. The applicant is the first offender, he is in jail since more than 1 and ½ moths. He will not commit any other offence if granted bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant but fairly submitted that in the case diary no any earlier criminal antecedent is mentioned.
4. Perused the material.
5. On due consideration, I am inclined to allow the instant MCRC. Consequently, the instant MCRC is hereby allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- with one solvent surety of the like sum to the satisfaction of the Judicial Magistrate First Class Dabhra, Distt. Janjgir-Champa, C.G. for his appearance before the said trial Court as and when directed by the trial Court.

6. It is made clear that this order granting bail to the applicant shall stand cancelled automatically without reference to the Bench by the Court below if (i) the trial Court finds that the applicant suppressed filing or pendency of any other application for grant of bail before this Court or the Hon'ble Apex Court intentionally; (ii) the applicant does not cooperate in the trial; (iii) the applicant is found to be involved in any offence of the like nature; and (iv) the trial Court finds that the applicant remains absent without any sufficient and cogent reason. If bail is cancelled automatically in view of above, the Court below may proceed further under the provisions of law under intimation.

7. Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE