

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1961 of 2017

1. Vishnu Singh S/o Moti Singh, Aged About 35 Years, R/o Village Chanwaridand, Police Station & Tahsil Manendragarh, District Korea, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Station House Officer, Police of Police Station Manendragarh, District Korea, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

10-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.434/2016 on 21-12-2016 by Manendragarh, District Korea, C.G. police for the offence under Section 457, 380 read with Section 34 of the IPC. Police after investigation filed the charge sheet which is registered as Criminal Case No.859/16 pending before the JMFC Manendragarh, District Korea, C.G. The applicant is first offender. This is the first bail application and the applicant is in jail since three months and 19 days. As per the allegation, two iron door of newly constructed primary school of Village Chanwaridand has been seized from the possession of the applicant. No other criminal antecedent is reported. He will not commit any offence in future. He may be granted bail during trial.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and submitted that no other criminal antecedent is shown in the case diary against the present applicant.
4. Perused the material.

5. On due consideration, I am inclined to grant bail to the applicant. 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.25,000/- with one solvent surety of the like sum to the satisfaction of the Judicial Magistrate First Class Manendragarh, C.G. for his appearance before the said trial Court as and when directed.

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