

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.2368 of 2017**

- Deepak Kumar Kurre S/o Jakshanlal, Aged About 21 Years Caste Satnami, R/o Jarve, Police Station Baradwar, Tahsil Sakti, Civil & Revenue District Janjgir Champa Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate Janjgir Civil & Revenue District Janjgir Champa Chhattisgarh Through Police Station Baradwar, Civil & Revenue District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant : Shri Deepak Kumar Singh, Advocate
 For Respondent/State : Shri UKS Chandel, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****02.5.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.68/2017 registered in Police Station Baradwar, Civil and Revenue District Janjgir Champa for the offence punishable under Section 454 of Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant has been arrested on 24.3.2017, charge sheet is yet to be filed and the applicant has been remanded by Judicial Magistrate First Class, Sakti, Distt. Janjgir Champa. He further submits that the applicant will not commit any offence in future, the trial may take sometime for its conclusion, hence, he may be granted bail.

4. Per contra , learned counsel for the State opposes the bail application and would submits earlier Crime No.157/2016 for the offence under Sections 294, 506, 323, 34 and Crime No. 202/16 for the offence under Section 454 and 354 of the IPC have been registered against the present applicant. Hence, looking to his criminal antecedent, his bail application may be dismissed.

5. Perused the entire material.

6. On due consideration of the fact that the applicant is in jail for one month and one week, though earlier two cases have been registered against him, and as submitted he will not commit any offence in future, I am inclined to grant one last opportunity to the applicant, so that he shall not commit any similar or other offence in future.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.30,000/- with one solvent surety of like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

9. It is made clear that this order granting bail to the applicant shall stand cancelled automatically without reference to the Bench by the Cort 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 the above, the Court below may proceed further under the provisions of law, under intimation.

Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE