

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2638 of 2017

Rajesh Sahu, S/o. Late Laxman Sahu, aged about 35 years, R/o. North Jhagarakhand, Dafai No.4, Ward No.12, P.S. - Jhagarakhand, District – Korea (C.G.).

----Applicant

Versus

State Of Chhattisgarh, Through : the Station House Officer, Police Station-Manendragarh, District – Korea (C.G.).

---- Respondent

For Applicant	:	Mr. Raghavendra Verma, Advocate
For Respondent/State	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/06/2017

1. Heard on application under Section 439 of the Code of Criminal Procedure.
2. It is submitted by the counsel for the applicant that the applicant is facing trial before the Court of Second Additional Sessions Judge, Manendragarh in S.T. No.44/2009, for the offence punishable under Section 294, 450, 506-II, 307/34, 324/34 of Indian Penal Code. Because of his non-appearance on the date of hearing, the applicant has been arrested on warrant and sent to jail. His application before the trial Court has been rejected by order dated 03.04.2017. The applicant is labour class person, who had been away from his present address to earn his livelihood, which was the reason for absence on the date of hearing. It is submitted that the applicant is ready to abide by all the conditions imposed for bail regarding his presence and appearance during the course of trial. Hence bail may be granted.

3. On the other hand, learned counsel for the State opposes the bail application.
4. Considering the facts and circumstances of the case and further considering the fact that the applicant was benefited with bail previously by the trial Court itself, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
5. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that 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, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge