

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3863 of 2017**

Ramkumar Yadaw S/o Chhahura Ram Yadaw, Aged About 40 Years, R/o Village- Chingrajpara (Khamtarai), Bilaspur, Police Station- Sarkanda, Tahsil & District (Revenue & Civil)- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Civil Line, Bilaspur, District (Revenue & Civil)- Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anand Kumar Kesharwani, Advocate
For the Non-applicant	:	Shri Gary Mukhopadhyay, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17/11/2017**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 193/2012 registered at Police Station Station Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 420, 466, 468, 471 of the Indian Penal Code.
3. Case of the prosecution, in brief is that accused Ramkumar had furnished forged Rin Pustika on 10/04/2012 in the Court of II Additional Sessions Judge for taking the bail of Rahul @ Nickky in pursuance of bail order passed by the High Court.
4. Learned counsel for the applicant argued that charge-sheet has

been filed and applicant is in jail since 20/01/2016, thus he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to these circumstances and other facts of the case, the applicant is in jail since 20/01/2016, charge-sheet has been filed, there is no likelihood that the said applicant may be absconded, there is no possibility of tempering of the evidence, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed.
8. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 20,000-20,000/- along with a personal bond of Rs.40,000/- to the satisfaction of the concerned Court with the condition that he will appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge