

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3906 of 2017

- Suresh Singh, S/o Shri Supiyar Singh Thakur, aged about 51 years
Occupation-Contractor, R/o LIG/65, Hudco Colony, Rajendra Prasad Nagar,
Korba, District- Korba, Chhattisgarh

---- Applicant (In Jail)

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station -
Korba, District - Korba, Chhattisgarh

---- Non-applicant

For Applicant	:	Smt. Indira Tripathi, Advocate.
For Respondent	:	Shri G. Mukhopadhyaya, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

12/06/2017

1. Present applicant has been arrested on 17.5.2017 in connection with
Special Case No.7/2007 pending before the Special Judge (Prevention of
Corruption Act), Korba.
2. Facts of the case are that present applicant was charged for commission of
the offence punishable under Sections 120B, 420, 467, 468, 471 of IPC
and Section 13 (i) D (ii) (iii), 13 (2) of the Prevention of Corruption Act,
1988. Initially, he was granted bail by the Court below on 18.12.1996 and
since then he has been continuously appearing before the Court below and
in case of his inability to appear before the Court, he has been moving
application under Section 317 Cr.P.C. through his counsel which have been
all alone allowed by the Court below. According to the applicant, on
20.4.2017 due to his inability to appear before the Court his counsel moved

an application under Section 317 Cr.P.C. seeking condonation of his non-appearance, however, the said application has been rejected and warrant of arrest was issued against him. Application for cancellation of warrant of arrest has also been rejected and the applicant was arrested on 17.5.2017. Subsequently, the applicant preferred an application for grant of regular bail which has also been rejected vide order dated 23.5.2017.

3. Learned counsel for the applicant undertakes that the applicant shall render all possible cooperation to the prosecution so as to conclude the trial at the earliest.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the total facts and circumstances of the case particularly the fact that the applicant was granted bail in the year 1996 and from 1996 till 17.5.2017 i.e. for almost about 21 years, he has been on bail, this Court is of the opinion that a *prima facie* case for grant of bail has been made out.
6. Accordingly, the bail application is allowed. It is directed that on applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Court below concerned, he be released on bail. The applicant is directed to appear before the concerned Court on each and every date given by the said Court till disposal of the trial. It is made clear that the applicant shall render all support to the prosecution in early conclusion of trial without unnecessarily remaining absent on the date of hearing as fixed by the Court below concerned.

7. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge

roshan/-