

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5169 of 2017

Abdul Sukul, S/o Tafajul Seikh, Aged About 27 Years R/o Village Ganga Prasad Moyabadi, Police Station Kalechak, Civil & Revenue District Malda, West Bengal.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Uрга, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushpendra Patel, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

20/11/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 167/2014 registered at Police Station- Uрга District Korba (C.G.) for the offence punishable under Sections 279,337,304 of the IPC.
2. The applicant was earlier granted bail on 16.05.2014 but he did not appear before the Court on 28.01.2015 therefore, warrant of arrest was issued against him and he surrendered before the Court on 10.05.2017.
3. Counsel for the applicant submits that the applicant is in jail for more than six months and the case is still pending for framing of charge, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, that the charge is still not framed and the trial will take sufficient time, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Ram Prasanna Sharma)
Judge