

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6192 of 2017

- Krishna Janghel @ Bablu Janghel S/o Ramdas Janghel Aged About 18 Years R/o Heera Nagar, Achholi Post Office & Police Station Urla Raipur District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station - Urla District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent/State	:	Mr. UKS Chandel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

27/11/2017

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. 89/2017, registered at Police Station- Urla, District – Raipur(C.G.) for the offence punishable under Sections 354, 354(A)(1)(i), 506/34 of the Indian Penal Code (for short 'IPC') & 8 of the Protection of Children From Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant had been on bail in Special Criminal Case No.109/2017, pending before the Court of 7th Additional Sessions Judge(FTC), Raipur, District-Raipur. Because of his non-appearance on the date of hearing, applicant has been arrested on warrant and sent to jail. His bail application for grant of bail has been rejected by the trial Court. Hence, this application.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit, that applicant has not been co-operating with the process of trial, hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. The applicant was enlarged on bail by the trial Court itself, presently he has been detained only on account of default committed by him in giving appearance before the trial Court.
6. Considering this situation and looking to the age of applicant, I am of this view that one more opportunity should be given to the applicant, this Court is 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.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)
Judge