

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8585 of 2016

- Yogesh @ Chhotu Jagne S/o Shri Rajendra Jagne Aged About 27 Years R/o Ashwani Nagar, Raipur Police Station Purani Basti Raipur, District Raipur, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Azad Chowk Raipur, District Raipur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. C.R. Sahu, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09-01-2016

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 5-2-2016 in connection with Crime No. 153 of 2012 registered at Police Station Azad Chowk, Raipur, District Raipur (CG) for the offence punishable under Section 379 of the IPC.
2. It is a case of bail jump. Earlier the applicant was enlarged on bail. Subsequently, he jumped the bail on 17-7-2013. The allegation against the present applicant is that on 3-9-2012 the applicant had committed theft of iron gate worth Rs.5,000/- of Smt. Kiran Dwivedi. Subsequently, the applicant was arrested on 5-2-2016.

3. Learned counsel appearing for the applicant would submit that during short interval, mother, father and wife of the applicant have died and the applicant is in jail since 5-2-2016 therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail application
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the bail rejection order which shows that the applicant was initially bailed out on 5-2-2012 thereafter he was absent on 17-7-2013 and warrant of arrest was issued to him and he was arrested on 5-2-2016 and since then he is in jail.
7. Considering the past back-ground of the case, nature of allegation and degree of offence, the period of detention and further considering the fact that the applicant was enlarged on bail earlier, I am inclined to release the applicant on bail.
8. Accordingly, the application filed under Section 439 of the Cr.P.C., is allowed and it is directed that the applicant shall be released on bail on his 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/-
(Goutam Bhaduri)
Judge

Raju

