

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5929 of 2017

- Santosh Chaudhari S/o Jairam Chaudhari, Aged About 40 Years R/o A - 505, Shreya Exotica, Vastral, Ahemdabad, Gujrat. --- **Petitioner**

Versus

- State of Chhattisgarh through the Police Station, City Kotwali, Raipur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. N. Naha Roy Advocate
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.10.2017

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 238 of 2016 registered at P.S. City Kotwali, Raipur, Distt. Raipur (C.G.) for the offences punishable u/ss 420, 467, 468, 471 & 511 of the IPC.
2. The first bail application was dismissed on 11.01.2017, thereafter the temporary bail was granted to the applicant on two occasions for providing treatment of his father and eventually he remained on temporary bail for two months. Thereafter, the applicant surrendered before the Police. Now learned counsel for the appellant submits that the present petition is filed on the ground that initially the prosecution has enlisted 14 witnesses. Out of that 7-8 witnesses have been examined and on 13.08.2017 another application was filed u/s 311 Cr.P.C., which was allowed by an order dated 12.09.2017 and 16 more witnesses have been enlisted to be

examined. Learned counsel further submits that the applicant is in jail since 16.09.2016 except two months of the temporary bail and there is a change of circumstance as no supplementary charge sheet has been filed and only the addition of witnesses has been made. He further submits that the offences are triable by the JMFC and looking to the period of detention he may be enlarged on bail.

3. On the other hand, learned State Counsel opposes the bail application.
4. Perused the application filed u/s 311 of Cr.P.C., on 13.08.2017 which was allowed on 12.09.2017. Taking into such fact and further that 16 witnesses have been added in the list and the trial will take considerable time, I am inclined to allow this bail application.
5. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**