

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.1182 of 2018**

Lakeshwar Dhruw, son of Chatur Dhruw, aged about 19 years, R/o Village Hasda, P.S. Bhatapara (Gramin), District Balodabazar-Bhatapara, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Balodabazar, District Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

For Applicant	: Shri Basant Kaiwartya, Advocate
For Respondent/State	: Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****12.4.2018**

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.445 of 2017 registered at Police Station Balodabazar, District Balodabazar - Bhatapara for offence punishable under Sections 224, 332, 353 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that Special Sessions Trial No.54 of 2017 for offence punishable under Sections 363, 366(क) and 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act is pending against the present Applicant and he was in custody. It is alleged that on 17.10.2017, the Applicant was brought to Balodabazar Court Campus and he was kept in the lock-up. At about 3:15 p.m., when he was being taken out from the lock-up for his production before the Court, he pushed away the Constable who had caught him

and thereafter jumped the boundary wall of the Court campus and ran away. Later on, he was caught near the police line. It is further alleged that at that time, the Applicant assaulted Constable Vijendra Kumar and as a result of which he sustained injuries.

3. Learned Counsel appearing for the Applicant submits that the Applicant has been bailed out in connection with Special Sessions Trial No.54 of 2017, but he is still in jail in the instant case. Trial will take a long time. Therefore, he may be released on bail.
4. Learned Counsel appearing for the State opposes the prayer for bail.
5. I have heard Learned Counsel appearing for the parties and perused the entire case diary with due care.
6. Having considered the facts and circumstances of the case and the arguments advanced, I am inclined to enlarge the Applicant on bail. Accordingly, the bail application is allowed.
7. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
JUDGE