

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 1495 OF 2018

Mahadev S/o Ganpat Lal, aged about 60 years, R/o Ward No.1, Prabhakar Nagar, Behind Makoniya Paradise Hotel, Sagar, PS Padmakar, Distt. Sagar (MP).

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Sakti, Civil and Revenue District Janjgir Champa (CG).

... Respondent

For Applicant	:	Shri Deepak Kumar Singh, Advocate.
For Respondent-State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/03/2018

1. This is repeat bail application seeking for grant of bail to the Applicant who is in jail since 25.07.2017 in connection with Crime No. 188 of 2017 registered at Police Station Sakti, Distt. Janjgir Champa for the offence punishable under Section 379 IPC. The earlier bail application was dismissed as withdrawn on 24.11.2017 with liberty to revive the same after the material prosecution witnesses are examined.
2. The appellant has enclosed along with the present application, the statements of the material witnesses examined on behalf of the prosecution. A perusal of same would show that most of the material prosecution witnesses have turned hostile and have not supported the case of the prosecution.
3. After verification, this aspect is also not disputed by the counsel for the State.

4. Given the aforesaid factual matrix of the case and also taking note of the fact that most of the prosecution witnesses have turned hostile and have not supported the case of the prosecution, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
5. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge