

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1729 of 2018

- Shailesh Yadav S/o Premlal Yadav Aged About 33 Years R/o- Pragati Nagar Behind Jail Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The House Officer, Police Station City Kotwali, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Rajesh Ranjan Sinha, Advocate.

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/04/2018

1. This is the second bail application of this applicant. His first bail application (MCRC No.7639/2017) was decided on merits by this Court on 26.2.2018 and rejected.
2. This application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.687/2016, registered at Police Station- City Kotwali, District – Raigarh (C.G.) for the offence punishable under Sections 420, 34 & 212 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 22.1.2017 and yet the trial of applicant has not concluded. Only allegation against him is this that he helped the main accused persons to abscond and another

development that has taken place is this that one of the co-accused namely Krishna Mishra has been granted bail by this Court vide order dated 26.2.2018 passed in MCRC No.7639 of 2017. Hence, it is prayed that he may also be released on regular bail.

4. Learned State counsel opposes the bail application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. Regarding trial status against this applicant, as informed by the counsel, out of total 12 witness, eight witnesses are yet to be examined before the Court below. Allegation against this applicant in this case is not that he collected money from any person rather it is alleged that he helped the main accused persons to abscond from the creditors. Co-accused person has already been released on bail by this Court. The trial against this applicant has yet not concluded. He is in jail for the last more than one year.
7. Considered on the entire material present in the case diary and that the trial against him is likely to take some time, I am inclined to grant regular bail to this applicant during the pendency of the trial against him.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge