

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4596 of 2018

- Pradeep Kumar Jain S/o Nand Kishore Jain, Aged About 42 Years, Caste- Jain, R/o- Gourela, Pendra Road, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Bhupdevpur, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Rajeev Kumar Dubey, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application MCRC No.4457/2017 has been decided on 25-10-2017 and the application was rejected on merits. The applicant has been arrested on 25-04-2017 in connection with Crime No.22/2017 registered at P.S. - Bhupdevpur, District- Raigarh, Chhattisgarh for the offence under Section 420, 120-B, 294, 506-B, 409, 34 of the IPC & Section 6 & 10 of Chhattisgarh Protection of Depositors Interest Act 2005 and Rule 2015.

2. It is submitted on behalf of the applicant that the applicant is languishing in jail without any fault on his part, the trial is getting delayed and prolonged. So far only 2 witnesses have been examined in the trial and 29 other witnesses are remaining to be examined. Hence, only for this reason, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the documents.

5. Only ground of delay in trial is taken into consideration. Learned State counsel has also confirmed that 29 witnesses are still remaining to be examined. Hence, looking to the slow progress of the trial and that conclusion of the same appears to be indefinite, I am of this opinion that this applicant should be benefited with grant of regular bail.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge