

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 5640 of 2018**

Tejram Sahu S/o Amri Ram Sahu (wrongly mentioned as Pyari Sahu in the copy of the order dated 27.11.2018), Aged About 28 Years, R/o- Birejhar, Police Station- Kurud, District- Dhamtari, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through- Station House Officer, Police Station Rajim, District- Gariyaband, Chhattisgarh

---- Respondent

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent/State	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06/08/2018**

This is the third bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 25.04.2017 in connection with Crime No. 87/2017 registered at Police Station- Rajim, District Gariyaband (CG) for the offence punishable under Sections 419, 420, 467, 468, 471/34 of IPC.

2. The earlier bail applications were rejected by this Court vide order dated 13.04.2018 in MCRC No. 2657/18 and order dated 27.11.2017 in MCRC No.5833/2017. While the second bail application was rejected, liberty was granted to the applicant to revive the same after the material witnesses particularly father of the applicant who was the original complainant is examined. The petitioner now has filed the third bail application after father of the applicant has been examined before the

Court below.

3. Counsel for the applicant submits that the said witness PW-3 examined on 03.07.2018 has not supported the case of the prosecution and turned hostile.

4. This aspect is not controverted by the State counsel on verifying the deposition of the father of the applicant who was the original complainant.

5. Given the facts that the father of the applicant has not supported the case of the prosecution and turned hostile and the fact that the applicant is in jail since 25.04.2017, this Court is of the opinion that prima facie a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant will 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 trial Court for his appearance before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
Judge**