

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5990 of 2018

- Ramakant Deshmukh S/o Shri Mangal Deshmukh Aged About 35 Years R/o- Village Belaudi, P.S. Pulgaon, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Shri Mayank Chandrakar, Advocate
For State	:	Shri Anand Dadariya, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2018

This is third application for grant of bail. Earlier two bail applications were rejected by this Court.

2. The applicant has been arrested in connection with Crime No.303/2017 registered at police station – City Kotwali, District – Durg (CG) for alleged commission of offence under Section 420 IPC.

3. Learned counsel for the applicant repeated the application for grant of bail mainly on the ground of long detention of the applicant and that the trial, till date has not been concluded. He submits that the trial is proceeding with snail pace and out of total prosecution witnesses, only three have been examined.

4. Learned State counsel opposes bail application and submits that earlier bail application was rejected considering the role of the applicant and the amount involved. Therefore, the application may be rejected.

5. This Court had earlier rejected first application on 24/11/2017 and second

application was rejected on 20/04/2018 with liberty to revive after three months.

6. It is submitted that till date, trial has not been concluded. The applicant has remained in jail since 15/05/2017. Therefore, in the totality of the circumstances, at this stage, I am inclined to grant bail particularly, when there is no allegation that the applicant is likely to abscond or tamper with the prosecution witness.

7. Accordingly, the application is 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/- along with one local surety for the like amount to the satisfaction of the concerned Trial Court, with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge