

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8035 of 2017

- Ravindra Kumar, S/o Sonsay, aged about 35 years, resident of village – Jamoni, P.S. Dhourpur, District- Surguja (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station Lundra, District- Surguja (Chhattisgarh).

---- Respondent

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

05/03/2018

1. This is the Second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No. 71/2016 registered at Police Station- Lundra, District – Surguja (Chhattisgarh) for the offence punishable under Section 420, 34, 120(B) of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant's first bail application has been dismissed on merits by the coordinate bench of this Court in MCRC No. 1888/2017 vide order dated 04.04.2017. It is further submitted by learned counsel for the applicant that the charge sheet has been filed on 17.11.2016 and after framing of charge, till date none of the prosecution witnesses have been examined by the

concerned trial Court. It is also submitted that similarly placed co-accused person namely Roopnarayan has already been granted bail by the coordinate bench of this Court in MCRC No. 7872/2016 vide order dated 14.12.2016. All though, the first bail application of this applicant was rejected on merits but looking to the delay in trial against this applicant and long period of his detention, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect that this applicant is the main accused in this case and he was the person, who had taken money from several persons and assured them for their appointment on different posts in the Government department of Chhattisgarh, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Since the previous bail application has been decided on merits, the only main ground in this application is that present circumstances of the case and status of the trial and after perusal of the certified copy of the ordersheets the trial Court filed by the applicant and as per the information of the counsel for the applicant that the prosecution witnesses have not been examined so far.
6. Considered the facts and circumstances of the case and as the applicant is the local resident of district Surguja and he is ready and willing to appear before the trial Court at the time of proceedings of the trial as and when directed. Hence, I am of this opinion that the applicant should be benefited with grant of regular bail.
7. 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/- each 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

Amita