

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1455 of 2019

- Nimeshwar Yadav @ Chhotu S/o Late Pardeshi Yadav, Aged About 25 Years, R/o Chikhli, Police Station- Urla, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station- Urla, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Mr. Aditya Khare, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-03-2019

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 in connection with Crime No.184/2017 registered at P.S. - Urla, District- Raipur, Chhattisgarh for the offence under Section 376(2)(b) of the IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 (as per charge framed against the applicant). By the earlier bail application, MCRC No.4565 of 2018, the applicant was granted regular bail vide order dated 18-07-2018.

2. It is submitted on behalf of the applicant that the applicant could not give his appearance before the trial Court on the given date, because of which he has been arrested on non-bailable warrant and placed in detention. The applicant had been unable to give his appearance on the given date for bonafide reasons. Therefore, it is prayed that this application may be allowed and he may be granted bail.

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

4. Heard learned counsel for the parties and perused the case diary.

5. The earlier order granting bail to the applicant passed by this Court in the earlier application is still effective which has not been cancelled by this Court, therefore, it is directed that the applicant be released on bail on furnishing bail bonds as per the direction given in the earlier order.
6. The MCRC stands disposed off.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge