

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1656 of 2019**

Prahalad Chauhan, son of Dhansai, aged about 22 years, R/o Village Basibar,
Police Station Pali, Tahsil Pali (Hardibazar), District Korba (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Dipka, District Korba
(CG).

---- Non-applicant

For Applicant : Mr. Surfaraj Khan, Advocate.
For Non-applicant/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27.03.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.1775/2018 registered in Police Station Dipka, District Korba for the offence punishable under Sections 395, 397, 412, 201 of Indian Penal Code.
3. The applicant is facing trial for the offence punishable under Sections 395, 397, 412, 201 of Indian Penal Code. Earlier, the applicant was released on bail. Thereafter, he became absent to appear before the trial Court. Against that, non-bailable warrant was issued against him. On the execution of non-bailable warrant, he was arrested and he is in jail since 29.09.2018.
4. Counsel for the applicant submitted that it is a case of jump case and if the applicant grants bail, in future he shall regularly appear before the trial Court.
5. Counsel for the State opposed for grant of bail to the applicant. However, he submitted that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall regularly appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not commit any such type of act in future.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-