

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1820 of 2019**

Ravindra @ Mohan Satnami, S/o Shri Bhumna Satnami, aged about 28 years,
R/o Village Ghathapani, P.S. Pandariya District Bilaspur (MP) Now Kabirdham
(CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Pandariya, District
Bilaspur (MP), Now Kabirdham (CG). **---- Non-applicant**

For Applicant : Mr. Deepak Jain, Advocate.
For Non-applicant/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****04.04.2019**

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.58/96 registered in Police Station Pandariya, District Bilaspur (MP) Now Kabirdham for the offence punishable under Section 376 of Indian Penal Code.
3. The applicant is facing trial for the offence punishable under Section 376 of Indian Penal Code. On his non-appearance, the trial Court had issued arrest warrant against him on 07.06.1998. He was declared absconded by the trial Court on 26.02.1999. On the execution of non-bailable warrant, he was arrested on 17.09.2018. Now, he is in jail.
4. Counsel for the applicant submitted that the benefits of Section 439 of CrPC may be granted to the applicant. If he 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.
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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-