

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2502 of 2019**

Gouri @ Mahendra Singh, son of Jagira Singh, aged about 28 years, R/o Santara Badi, Durg, Tahsil and District Durg (CG).
--- Applicant

Versus

State of Chhattisgarh, through District Magistrate, Durg, District Durg (CG).
---- Non-applicant

For Applicant : Mr. C.P. Soni, Advocate.
 For Non-applicant/State : Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.04.2019

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.211/2010 registered in Police Station Supela, District Durg for the offence punishable under Section 392 of Indian Penal Code.
3. The applicant is facing trial for the offence punishable under Section 392 of Indian Penal Code. He jumped the bail twice and now, he is in jail since 11.03.2019.
4. Counsel for the applicant submitted that if the applicant grants bail, then in future he shall regularly appear before the trial Court.
5. Counsel for the State opposed the bail application. However, she submits that previously 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. He is also directed that he cannot leave the territory of State of Chhattisgarh without obtaining permission by the trial Court.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE

L/-