

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3140 of 2019**

Mahaveer Chandrakar S/o Shiv Sahaay, aged about 19 years R/o Village Bundeli, P.S. City Kotwali, Mungeli, District Mungeli (C.G.)

----Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station City Kotwali, District Mungeli (C.G.).

---- Respondent

For Applicant	:	Mr. Atul Kumar Kesharwani, Advocate
For Respondent	:	Mrs. Smriti Shrivastava, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

16/05/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 420/2015 registered at Police Station City Kotwali, District Mungeli (C.G.) for the offence punishable under Sections 363, 354 and 354 (B) of the IPC.
2. In this case, a trial is going on against the Applicant for the aforementioned offence. He was granted bail by the Trial Court on 09/11/2015. Thereafter, he remained absent, thus, a warrant of arrest was issued against him. In compliance of that, he was arrested on 03/04/2019. He moved a bail application before the Trial Court, which has been rejected. Thus, this bail application.
3. Counsel for the Applicant submits that the Applicant was earlier granted bail by the Trial Court itself, but due to some mistake he could not appear

before the Trial Court. He further submits that the Applicant is in custody since 03/04/2019 and trial will take much more time, therefore, he prays that the Applicant may be released on bail.

4. Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, particularly the fact that the Applicant was earlier granted bail by the Trial Court and due to some mistake he could not appear before the said Court and further considering that he is in custody since 03/04/2019 and trial will likely to take time, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Arvind Singh Chandel)
Judge