

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 6455 of 2019**

Virendra Singh @ Ruby Singh S/o Late Om Prakash Singh Tomar
Aged About 36 Years R/o Pujari Nagar, Police Station Tikrapara
Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Tikrapara, District
Raipur, Chhattisgarh.

---- Non-Applicant

For Applicant	:	Mr. N. Naha Roy, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/12/2019**

1. This is a third bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 589/2013 registered at Police Station Tikrapara, District Raipur, Chhattisgarh for the offence punishable under Section 302 of Indian Penal Code, 1860 and Sections 25 & 27 of the Arms Act.
2. The contention of the applicant is that the applicant on the earlier occasion had been granted bail by this Court on 10.07.2018 in MCRC No. 4706/2018 and since then the applicant has been regularly appearing before the trial Court. However, on account of the fact that the applicant had been arrested in another criminal case in respect of an incident that took place on 18.04.2019, the applicant could not appear before the trial Court in respect of Crime No. 589/2013 and the bail granted to the applicant has since been cancelled vide order dated 27.04.2019. According to the applicant, the things were beyond his control as the applicant was in custody, which was the reason for the applicant not appearing before the trial Court and that there was no

willful non-compliance or disobedience of the order passed by this Court, nor was there any violation of any of the conditions put forth by this Court or by the trial Court. Thus, prayed for the grant of bail to the applicant.

3. This fact has not been disputed by the counsel for the State, however the counsel for the State submits that it appears that the applicant has a criminal track record, as inspite of the applicant being on bail in the present case has again involved himself in a criminal offence, which shows the conduct of the applicant and for which the applicant does not deserve to be released on bail.
4. Having heard the contentions put forth on either side and on perusal of record, particularly taking into consideration the order dated 10.07.2018, passed by this Court in MCRC No. 4706/2018 and also taking note of the fact that the applicant could not appear before this Court on account of his being arrested in another criminal case, prima-facie a strong case for grant of bail has been made out. Accordingly, the present application for grant of bail is allowed.
5. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge