

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6511 of 2019

- Bahal Singh Verma S/o- Kapil Verma Aged About 43 Years R/o- Village Oteband, Police Station, Tahsil and District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through - District Magistrate Bemetara, District : Bemetara, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Sachin Nidhi, Advocate.
For Non-applicant/State	: Mr. Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22.10.2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is *second* bail application before this Court filed by the applicant for grant of regular bail. The first bail application MCRC No.1541/2018 was dismissed on merits on 23.04.2018. The applicant has been arrested in connection with Crime No.248/2017, registered at Police Station– Saja, District-Bemetara, Chhattisgarh for offence punishable under Sections 420, 409, 467, 468, 471 and 1209-B of the I.P.C.
2. This application has been brought on the ground of subsequent change in circumstances. The co-accused persons namely Rajesh Sharma and Prakash Reddy has been granted bail by this Court on the ground of delay in trial and this applicant is similarly placed. Out of total 157 witnesses in the list of witnesses so far, only 100 witnesses have been examined, therefore, prayed that application be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.

5. The earlier application was rejected on merits, however, for the reasons that the co-accused persons have been granted bail for the reasons that the trial is not getting concluded and that from the total number of witnesses, remaining 57 witnesses are still to be examined, which is going to take considerable time, hence, I feel inclined to allow this application.
6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 as and when directed.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

yasmin