

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6721 of 2019

1. Pradeep Das S/o Pratap Chandra Das Aged About 39 Years R/o Village Manjhigudapara, Navrangpur, Police Station and District Navrangpur, Orissa, At Present Ambedkar Ward, Nayamunda, Vikram Khora, Police Station Bodhghat, Jagdalpur, District Bastar, Chhattisgarh.
2. Jagbandhu @ Jaiki Bhatra S/o Ram Singh Bhatra Aged About 36 Years Caste Bhatra, R/o Santoshi Ward, Near Luthran Church, Police Station Bodhghat, Jagdalpur, District Bastar, Chhattisgarh (Wrongly Mentioned as Bhatarra in the Hon'ble Court Order Sheet).

--- Petitioner(s)

Versus

1. State of Chhattisgarh Through Station House Officer, Thana Kotwali, Jagdalpur, District Bastar, Chhattisgarh.

---Respondents

For Applicant s	:	Shri Alok Kumar Dewangan, Advocate.
For State	:	Shri Ashutosh Mishra, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.10.2019

1. This is fourth bail application seeking for grant of bail to the Applicants who are in jail since 06.12.2017 in connection with Crime No.449 of 2017 registered at Police Station Thana Kotwali, Jagdalpur, for the offence punishable under Sections 419,420,467,468,471 and 120-B IPC. The earlier three bail applications stood rejected on 28.06.2018 in MCRC No.3503 of 2018, on 04.10.2018 in MCRC No.7577 of 2018 and on 18.06.2019 in MCRC No.3551 of 2019.
2. When the third bail application was rejected on 18.06.2019, this court had permitted the applicants to revive their bail application in case if the evidence of complainant is not recorded before the trial court within a period of three months.

3. The counsel for the applicants in this fourth bail application have enclosed the complete order sheets subsequently passed, perusal of which it appears that the complainant till date has not been examined inspite of repeated summons being issued to the complainant. Prima facie it appears to be deliberate avoiding appearance by the complainant before the trial court for recording of evidence.
4. Under the circumstances, taking into consideration the fact that the applicants are in jail since 06.12.2017 i.e. they have already remained in custody for 22 months and that the evidence has till date not been concluded, this court is of the opinion that a strong case is made out by the applicants for grant of bail.
5. Accordingly, the application for grant of bail is allowed. It is directed that the Applicants shall be released on bail on their furnishing personal bond for a sum of Rs.50,000/- each with two sureties of the like sum to the satisfaction of the concerned Trial Court for their appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

inder