

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1367 of 2019

- Emant Kumar Sahu S/o Gambhir Ram Sahu, Aged About 26 Years, Caste - Teli, R/o Village - Nayapara Bori, Post - Khapri, P.S. and District - Balod Chhattisgarh. since of unsound mind through his legal representative (father) Gambhir Ram Sahu, S/o Baisakhu Ram, Caste Teli, Aged About - 64 Years, R/o Village - Nayapara Bori, Post - Khapari, P.S. and District Balod Chhattisgarh.....(In Jail), District : Balod, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, P.S. - Balod District Balod Chhattisgarh....(Respondent), District : Balod, Chhattisgarh

-----Respondent

For Applicant : Ms. Aditi Singhvi, Advocate.

For Respondent/State: Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11/11/2019

1. Heard.
2. This petition has been brought being aggrieved by the order dated 26-09-2019 passed by the Court rejecting the application of the applicant under Section 339 of the Cr.P.C.
3. On perusal of the impugned order it is found that the Sessions Court has given no consideration on the current status of the mental unsoundness of the applicant and making reference to the order rejection of his application for grant of bail and also the earlier application for release of the applicant on the ground of mental unsoundness has rejected this application again. Therefore, this petition is disposed off at the motion stage. The applicant shall be at liberty to file a repeat application for his release on bail under Section

339 of the Cr.P.C. and if such application is filed, then the trial Court shall be obliged to call current report regarding mental unsoundness of the applicant from the concerned medical officers as well as from the jail authorities and consider and decide the application in accordance with law.

4. The petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge