

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1373 of 2020

- Bachchu Bhai S/o Shri Sheikh Noor, Aged About 52 Years, R/o Gausiya Masjid Road, Nayapara, Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Sangeet Kumar Kushwaha, Advocate.

For Non-applicant/State – Shri D.P. Singh, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-03-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is third bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26-11-2018 in connection with Crime No.720/2018 registered at P.S. - Civil Lines, District Raipur, Chhattisgarh for the offence under Section 420 of the IPC.

2. It is submitted on behalf of the applicant that this is third application filed by the applicant for grant of regular bail. His first application filed, MCRC 3728/2019 was disposed off by this Court on 26-07-2019 with direction to the trial Court to expedite the trial and complete the same preferably within a period of six months. The second bail application of the applicant, MCRC No.7790/2019 was dismissed as withdrawn on 11-12-2019. It is further submitted that the trial against the applicant is still not concluded. He is in jail since 26-11-2018 and so far only two witnesses have been examined by the trial Court out of 19 witnesses, therefore, the applicant is languishing in jail without any fault on his part. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the allegations against the applicant are of grave nature and he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. The prosecution against the applicant is on this basis that he on the pretext of getting the complainant appointed to Government job gave inducement to the complainant and received Rs.20,80,000/- from him by way of illegal gratification.
6. Considering that the applicant is in jail since more than one year and the trial has not made any progress, therefore, I feel inclined to allow this application.
7. 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 her 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 her appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge