

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2988 of 2020**

- Ambikeshwar Singh @ Ambika Singh, S/o Late Awadh Bihari Singh, Aged About 57 Years, Caste - Kushwaha, R/o Village Kevra, Police Station- Bansdih, District- Balia, Presently R/o Ward No. 40, Sonawani, Dumanhill, Police Station- Chirimiri, District- Koriya Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station- Chirimiri, District- Koriya Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pawan Shrivastava, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 471/2017 registered at Police Station- Chirimiri, District- Koriya, (C.G.) for the offence punishable under Sections 420, 384, 294, 506 of IPC and 3 (1) (10) of SC/ST (Prevention of Atrocities) Act, 1989.
4. Present is a case of bail jump where earlier bail was granted to applicant by learned Sessions Court on 25.04.2018 whereafter due to absence of applicant, his bail bonds were cancelled and he could be arrested on 16.03.2020 as a result of which the trial has got delayed unnecessarily.
5. Learned counsel for the applicant submits that the applicant has not committed any offence and due to some bona fide reason he

could not appear before the trial Court. He further submits that now the applicant is in jail since 16.03.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the material available on record.
8. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the facts that the applicant was earlier granted benefit of bail and due to some reason he could not appear before the trial court, and now he is in custody since 16.30.2020, I am of the opinion that present is a fit case to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, with one local solvent surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
11. The trial Court is directed to forfeit the previous personal bonds of the applicant as per its discretion.

**Sd/-
(Rajani Dubey)
Judge**