

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4368 of 2020

- Suresh Nishad S/o Late Budhram Nishad, Aged About 45 Years R/o Village Jamghat, Police Station Berla, District Bemetara Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through Its Police Station Berla, District Bemetara Chhattisgarh

---- Respondent

For Applicant : Mr. Rekhraj Baghel, Advocate

For Respondent : Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.10.2020

1. Heard
2. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 224/2013 registered at Police Station- Berla, Civil & Revenue Distt. Bemetara (C.G.) for the offence punishable under Section 34(2) of Chhattisgarh Excise Act, 1915.
3. This is a case of bail jump. The applicant was enlarged on bail on 18.07.2016 and subsequently he jumped the bail and the arrest warrant was issued and he has been arrested on 01.05.2020.
4. Learned counsel for the applicant would submit that this is a case of bail jump and only one default has been committed by the applicant, therefore, he may be released on bail, he was arrested on 01.05.2020.

5. Per contra, learned State counsel opposes the prayer made by learned counsel for the applicant and submits that the applicant was enlarged on parole from 19.06.2020 uptill 30.09.2020 due to pandemic.
6. Perused the order sheet. Considering the fact that the applicant was arrested on 01.05.2020 and earlier he was on bail and because of bail jump he was arrested and then released during pandemic on 19.06.2020, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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 trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge