

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8283 of 2019

- Hemant Deshmukh S/o Shri Prabhakar Deshmukh Aged About 63 Years R/o Village Belsonda, Police Station City Kotwali, Mahasamund, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station - Saraswati Nagar Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----- Respondent

 For Applicant : Shri A.S. Rajput, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

03.01.2020

1. Heard.
2. This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.75/2007, registered at Police Station Saraswati Nagar, Raipur, District Raipur(CG) for the offence punishable under Sections 420, 34 of the IPC.
3. Earlier, the applicant was released on bail vide order dated 10.9.2007 and he was directed to appear before the trial Court on each and every dated given by the said Court. But the applicant could not appear before the trial court on the dates of appearance given to him, therefore, the bail granted to him was cancelled and he has been arrested.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and due to severe illness of his

wife and she was hospitalized, the applicant could not appear before the trial Court on the dates of appearance given to him. He submits that now the applicant is in jail since 17.9.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering that the applicant was earlier released on bail and due to illness of his wife he could not appear before the trial court, and now he is in jail since 17.9.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. The trial Court is free to forfeit the previous personal bonds of the applicant as per its discretion.
11. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE