

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No.8558 of 2020**

- Satyendra Singh Bhadouria S/o Jaiveer Singh Aged About 33 Years R/o Ridoli, Police Station Aater, District Bhind Madhya Pradesh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station New Rajendra Nagar, Raipur District Raipur Chhattisgarh

**---- Non-applicant**

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For Applicant : Mr. Awadh Tripathi, Advocate.

For Non-applicant/State : Ms. D.P. Singh, Dy.A.G.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**01-02-2021**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the third application filed for grant of regular bail. The first application of the applicant in M.Cr.C. No.1116 of 2018 which was dismissed on merits on 02.07.2018. The second application in M.Cr.C. No.2894 of 2019 was dismissed as withdrawn on 16.05.2019 and on that date this Court ordered the trial Court to expedite the proceeding and conclude the trial within 06 months. The applicant has been arrested on 05.12.2016, in connection with Crime No.15/2016, registered at Police Station-- New Rajendra Nagar, Raipur District- Raipur, C.G. for offence punishable under Sections 420, 120-B read with Section 34 of I.P.C. and Sections 3 and 4 of Chit Funds and Money Circulation Act.
2. It is submitted by the learned counsel for the applicant that despite the direction of this Court, the learned trial Court has not expedited the trial and concluded the proceeding and now more than one and a half year has passed since the passing of order dated 16.05.2019 and the applicant is languishing in jail since 05.12.2016 without any fault in his part. Hence, it is prayed that this applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that already the application of this applicant has been dismissed on merits. The applicant is a resident of Madhya Pradesh, therefore, in case he is granted bail, he may not be available for trial. Hence, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. A report was called from the Court of Chief Judicial Magistrate, Raipur to explain the reasons for pendency of the case against this applicant. The report given does not appear to be satisfactory. As this is third application for bail, therefore, there is no necessity to consider the same on merits. The case against the applicant is triable by Judicial Magistrate First Class and on the ground of delay in trial and that the applicant is in jail since more than 4 years, I feel inclined to allow this application.
6. Consequently, this application filed by the applicants 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 his furnishing a personal bond in the sum of Rs.25,000/- with two local surety each in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
7. Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge