

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3425 of 2015

Amit Taram S/o Nathu Ram Taram, Aged about 24 years,
Government Service R/o Village Gahira, Nawagaon, P.S. Deori,
Civil & Revenue Distt. Balod, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through, Station House Officer, Police
Station - Khairagarh, Distt. Rajnandgaon Chhattisgarh

---- Respondent

For Petitioner	-	Shri Wasim Miyan, Advocate
For Respondent/State	-	Shri Ravindra Agrawal, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

10/07/2015

1. This is the third bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 13.06.2014 in connection with Crime No. 260/2014 registered at P.S. Khairagarh, District Rajnandgaon for the offence punishable under Section 376 of IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. The first bail application of the applicant was dismissed as withdrawn by this Court on 09.09.2014 to revive the same after the prosecutrix is examined. The second bail application was dismissed on merit vide order dated 09.01.2015 in M.Cr.C. No.124 of 2015.
3. Counsel for the applicant submits that the present third bail application has been moved only on the ground of delay in conclusion of trial.
4. However, from the proceedings it reveals that the order dated 09.01.2015 rejecting the second bail application of the applicant by this Court has not been brought to the notice of the Lower Court wherein this Court had directed the Court below to conclude the trial as expeditiously as possible. Thus, at this juncture, this Court is not inclined to grant bail to the applicant.

5. Accordingly, the third bail application filed under Section 439 of Cr.P.C. is dismissed.

6. However, the applicant is directed to produce the order dated 09.01.2015 passed in the second bail application i.e. M.Cr.C. No.124 of 2015 before the Court below and to pray for an early disposal of the trial. It is expected that the Court below shall make all endeavour for early disposal of the trial.

Sd/-
(P. Sam Koshy)
JUDGE

Bhola