

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4205 of 2015**

1. Shyam Lal, S/o Shri Dayaram Chandrakar, aged about 48 years.
2. Pannalal, S/o Shri Shyam Lal Chandrakar, aged about 24 years.
3. Jhularam, S/o Shri Dayaram Chandrakar, aged about 45 years.
4. Dhanraj, S/o Shri Jhularam Chandrakar, aged about 23 years.

All are resident of Village Sukhatal, Police Outpost Khandsara, Police Station Bemetara, Civil & Revenue District Bemetara.

---- Applicants**Versus**

State of Chhattisgarh, through Police Outpost-Khandsara, Police Station Bemetara, Civil & Revenue District Bemetara (CG)

---- Non-applicant

For Applicant : Shri K.A. Ansari, Sr. Advocate with Shri Vipin Singh Thakur, Advocate
 For Non-applicant: Shri Dilman Rati Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

04/12/2015**(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 applicants, who have been arrested in connection with Crime No.87/2015 registered at Police Station Bemetara, for the offence punishable under Sections 302, 147, 148, 149 of the Indian Penal Code.

(3) The applicants' first bail application was dismissed as withdrawn with liberty to revive the same after examination of all the material prosecution witnesses by order of this Court dated 15.04.2015 passed

in M.Cr.C. No.1588/2015.

(4) The second bail application has been filed by the applicants after examination of 11 material prosecution witnesses along with their statements.

(5) Learned counsel appearing for the applicants submits that no evidence has been brought even after examination of the material prosecution witnesses and it is a case of no evidence. Even material prosecution witnesses have been given their statements and, as such, the applicants may be released on bail as they are in jail since 09.02.2015.

(6) On the other hand, learned counsel appearing for the State opposes for grant of bail to the applicants.

(7) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(8) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and prosecution evidence available on record after their examination, I do not find any good ground to entertain this second bail application. Consequently, the second bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the same preferably within a period of three months from the date of receipt of copy of this order.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

