

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4210 OF 2015**

Chandrabhal Mishra, S/o R.P. Mishra, aged about 36 years, resident of Sattipara Ambikapur, Police Station Gandhi Nagar, Ambikapur, District Surguja (Chhattisgarh)

---Applicant**Versus**

State of Chhattisgarh, through: the Station House Officer, Police Station Gandhi Nagar Ambikapur, District Surguja (Chhattisgarh)

---Non-applicant

For Applicant	:	Mr. V.K. Pandey, Advocate.
For-Non-applicant	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****24/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 274/2013, registered at Police Station Gandhi Nagar Ambikapur, District Surguja (C.G.), for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant and other co-accused persons said to have murdered Sanjay on 15/09/2013 inflicting injuries upon him by spade and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that 11 witnesses have already been examined and there is no evidence to connect the applicant in offence in

question. He would lastly submit that charge sheet has been filed and applicant is in jail since 16/09/2013, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and material collected by the prosecution against the applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected. However, looking to the detention period of the applicant, trial Court is directed to expedite the trial and decide the case as early as possible preferably within a period of 4 months from the date of receipt of certified copy of this order.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE