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HIGH COURT OF CHHATTISGARH, BILASPUR**MCrC No.4412 of 2015**

- Sunil Kumar Kushwaha, S/o Gangaram Kushwaha, aged about 24 years, R/o Village Wadrafnagar, Police Station & Tahsil Wadrafnagar, Revenue District Balrampur – Ramanujganj, Civil District Surguja (CG)

---- Applicant**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station Basantpur Chowki Wadrafnagar, District Balrampur – Ramanujganj, Civil District Surguja (CG)

---- Non-Applicant

For Applicant : Shri Manoj Paranjpe with Shri Vikram Dixit, Advocates.
For Non-Applicant: Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****17/09/2015**

1. The applicant has preferred this application for grant of bail, as he is arrested in connection with Crime No.22/2013, registered in Police Station : Station House Officer, PS Basantpur Chowki Wadrafnagar, District Balrampur-Ramanujganj, Civil District Surguja for offence under Section 306/34 of the IPC.
2. This 4th bail application under Section 439 CrPC has been preferred on the ground of delay in trial.

3. Report received from the trial Court would indicate that the trial has not progressed for different reasons including non-production of the accused from jail, absence of other co-accused, surrender of some accused at subsequent point of time and non-appearance of the defence counsel. The delay is not wholly attributable to the prosecution.
4. Considering the nature of allegation and for the fact that the earlier bail application was dismissed on merits by a detailed order, no case for entertaining this repeat bail application is made out. It is accordingly rejected. However, the trial Court is directed to expedite the trial and secure presence of witnesses by issuing warrant of arrest. A copy of this order be sent to the trial Court forthwith.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve