

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1904 of 2015**

Shiv Narayan Vastrakar S/o Sahata Ram Vastrakar, Aged About 27 years, R/o Karmanda, Police Station & Post Office - Janjgir, District Janjgir Champa, Chhattisgarh. Present R/o Bhilai 3, Khursipar, Near Kali Mandir, Post Office & Police Station - Khursipar, Bhilai, District Durg Chhattisgarh.

---- **Petitioner**

Versus

State of Chhattisgarh Through the Station House Officer, Police Station Saraswati Nagar, Raipur, Distt. Raipur, Chhattisgarh.

---- **Respondent**

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent /State	:	Shri Chandresh Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

03/07/2015

This is the fourth bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 27.05.2014 in connection with Crime No. 237/2012 registered at P.S. Saraswati Nagar, Raipur for the offence punishable under Sections 406, 419, 420, 467, 468 and 471/34 of IPC.

Earlier three bail applications of the applicant were dismissed/rejected by this Court either as withdrawn or on merit vide order dated 05.08.2014, 23.09.2014 and 03.02.2015.

Counsel for the applicant submits that in the instant case the applicant has already remained in jail for a period of more than 13 months and that the trial is also proceeding at a slow pace in as much as till date only two witnesses have been examined out of the total 14 witnesses cited by the prosecution and there is no likelihood of the trial being concluded at the earliest and therefore, at this stage, the applicant may be released on bail.

However, State counsel opposes the bail application on the ground that the bail application of the applicant has already been considered thrice and no change of circumstance has been brought to the notice of this Court in the present application also.

Taking into consideration the total period of detention and the

fact that till date only two witnesses have been examined out of 14 witnesses cited by the Prosecution and the trial is likely to take sometime for its conclusion, this Court is of the opinion that it is a fit case where the present applicant can be released on bail at this stage.

Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
Judge