

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3692 of 2015

Sonu @ Salim Khan, S/o Shri Aaftab Khan, aged about 25 years,
Resident of C/o Aaftab Khan Potar Kholi, Near Railway Post Office,
Budhwari Bazar, Police Station Torwa, Civil and Revenue District
Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station
Mungeli, District Mungeli (C.G.)

---- Non-applicant

For Applicant:	Mr. U.K.S. Chandel, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/10/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.265/2014, registered at Police Station City Kotwali, Mungeli, Distt. Mungeli, for the offence punishable under Sections 302 and 201 read with Section 34 of the IPC.
2. This is the second bail application filed on behalf of the applicant for grant of regular bail. First bail application was dismissed as withdrawn with liberty to file after examination of material prosecution witnesses.
3. Case of the prosecution, in brief, is that the applicant and one another co-accused on 11-7-2014, caused death of Kum. Purnima Masih by strangulation.
4. Learned counsel for the applicant submits that allegation of strangulation is against co-accused Anish Masih and against the applicant, there is

only the charge of causing disappearance of evidence and as such, 12 prosecution witnesses have been examined and they have not supported the case of the prosecution against the applicant. The applicant is in jail since 14-7-2014. Therefore, the applicant be released on bail.

5. On the other hand, learned State counsel opposes the bail application.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, material collected by the prosecution, the trial is in advanced stage and 10 witnesses have already been examined, I do not find it a fit case for grant of regular bail to the applicant. The second bail application is, therefore, rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible.

Sd/-
(Sanjay K. Agrawal)
Judge