

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 6072 of 2015

- Kaval Dhir S/o Javla @ Bhaisa Kodaku, Aged About 35 Years ,R/o Village Jatro, P.S. Balrampur, Distt. Balrampur Ramanujganj, Chhattisgarh. --- **Petitioner**

Versus

- State Of Chhattisgarh Through P.S. Balrampur, Distt. Balrampur Ramanujganj, Chhattisgarh. --- **Respondent**

17.11.2015	Shri A.K. Yadav, counsel for the applicant. Mr. Om Prakash Sahu, Govt. Advocate, for the state. This is an application filed under Section 439 of Cr.P.C., for grant of bail to the applicant in connection with Crime No.27/2012 registered at P.S. Balrampur, Distt. Balrampur Ramanujganj, Chhattisgarh, for the offence punishable under Section 302 IPC. As per the prosecution story, in the night of 08.03.2012 the applicant has committed murder of his wife Poolbasiya suspecting her fidelity. Thereafter, the case was registered and the charge sheet was filed. Learned counsel for the applicant submits that out of 19 witnesses, 6 witnesses have been examined and they have not supported the case of prosecution and there is delay in the process of trial. He further submits that the applicant is in jail since 09.03.2012 and looking to the period of detention, he may be released on bail. Per contra, learned State Counsel opposes the bail application.	

Rao	At this stage, it would not be relevant to pass any comment with respect to the evidence which is on record and it is the duty of trial Court to evaluate the overall evidence and adjudicate the matter. Taking into account that out of 19 witnesses, six have already been examined and the remaining witnesses are yet to be examined, I am not inclined to allow this bail application. Accordingly, the bail application is rejected. Sd/- GOUTAM BHADURI JUDGE	
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