

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 553 of 2016

Vijay Kumar Barman S/o. Dujram Barman, Aged about 36 years, R/o.
Parsada, P.S. Hasoud, Tahsil Jaijaipur District Janjgir Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through, Station House Officer, Police Station
Hasoud, District Jangir Champa (C.G.)

---- Respondent

For Applicant :- Mr. Awadh Tripathi, Advocate

For Respondent/ State :- Mr. Sangharsh Pandey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

23/02/2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 107/2015 registered at Police Station- Hasaud, District Janjgir Champa (C.G.) for the offence punishable under Sections 370(3)/34 of Indian Penal Code. The first bail application of the applicant was rejected on merit on 27.10.2015 in M.Cr.C. No. 5651/2015.
2. Case of the prosecution, in brief, is that the applicant was found involved in trafficking of 13 persons and thereby committed the aforesaid offence.

3. Counsel for the applicant submits that the applicant himself has provided money to the victim and they are the relative and the victim themselves went to Malaysia and not at the instance of the applicant. He further submits that the applicant is in jail since 27.07.2015 and the charges has not yet been framed. He further submits that all the documents which have not been supplied to the accused and the case is fixed for hearing on 25.02.2016.
4. Per contra State counsel opposes the prayer for grant of bail.
5. On perusal of the order sheet of the Court below, it appears that no exorbitant delay has been caused in trial and the earlier bail petition was dismissed on 27.10.2015 on merit. Consequently, no further change of circumstances took place. It appears that the ground of delay do not appear to be considered as the order sheet of the Court below would show that the case has already fixed for hearing on 25.02.2016 and the Court has ordered that few of the documents which has been seized to be supplied to the applicant, therefore, considering the progress of trial, I am not incline to consider this bail petition within short span of time.
6. Trial Court is requested to expedite the trial.
7. Accordingly, the bail application filed under section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge