

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2467 of 2016

Dhaniram Sen, S/o.Ramlal Sen, Aged about 21 years, R/o. Village Adar
Police Station Nandghat, Civil and Revenue District Bemetara (C.G.)

---- Applicant

Versus

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

---- Respondent

For Applicant :- Mr. Y.C. Sharma, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/04/2016

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. 117/2015 registered at Police Station- Nevra, District Raipur (C.G.) for the offence punishable under Sections 302/34 of Indian Penal Code.
2. The first bail application of the applicant was rejected on 01.12.2015 in M. Cr.C. No 5794 of 2015.
3. Counsel for the applicant submits that the material witnesses have been examined and no case is made out against this applicant, therefore, there is change of circumstances for consideration.
4. Learned State counsel opposes the prayer for grant of bail and submits that as per information only four witnesses are remaining to be examined and the trial would be over shortly.

5. In view of the submission made by the counsel for the State, I do not find it proper to go into the merit of this case as it would amount to adjudicate the trial on merit.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed at the admission stage.
7. However, the Trial Court is expected to conclude the trial as early as possible.

Sd/-
(Goutam Bhaduri)
Judge