

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P No. 760 of 2016**

Vinod Pradhan S/o Shri Purnachand Pradhan Aged About 24 Years R/o. Khajju Nikhara Ward No. 08 Bargarh, P.S. - Bargarh, Civil And Rev. Distt. Bargarh (Orissa).

---- Petitioner**Versus**

State Of Chhattisgarh Through The District Magistrate Mahasamund, Distt. Mahasamund Chhattisgarh.

-----Respondent

For Petitioner:	Shri	VK.	Pandey,	Advocate.
For Respondent/State:	Shri Vaibhav A. Goverdhan,	Panel Lawyer.		

Single Bench: **Hon'ble Shri P. Sam Koshy, J**
Order On Board

22.7.2016

1. The present Cr.M.P has been preferred seeking for a liberty to be extended to the Petitioner for being released on bail invoking the provisions of Section 437 (2) Cr.P.C.
2. The facts in nut-shell are that that present Petitioner is an accused in Criminal Case No.544/2014 pending before JMFC, Pithora, District Mahasamund. According to the Petitioner, he was arrested on 27.7.2014 and charge sheet in the present case was filed on 21.10.2014. Later on, charge has been framed on 1.2.2016 wherein the offence charged against the present Petitioner is the offence under Section 392 Cr.P.C.
3. Learned Counsel for the Petitioner submits that the present Petitioner has already remained in custody for a period of about 2 years and that the progress of the trial is also at a slow pace and that even after the charge was framed on 1.2.2016, the trial could not be completed within a period of 60 days

and therefore he is entitled to be released on bail invoking the provisions under Section 437 (2) Cr.P.C.

4. Learned State Counsel however opposes the bail application on the ground that according to the Petitioner himself, by now 4 out of 13 witnesses cited have already been examined. He submits that even after the rejection of the application under Section 437(6) Cr.P.C by the Trial Court, 3 more witnesses have been examined which itself is an indication that the trial is progressing at a fast pace.

5. Considering the facts and circumstances of the case, this Court is not inclined to grant any relief to the Petitioner.

6. The instant Cr.M.P is accordingly rejected.

Sd/-

(P. Sam Koshy)

JUDGE