

HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRC No. 4397 of 2016**

- Jamit Singh @ Buntty Sardar S/O Jaswant Singh Mehra Aged About 32 Years R/O. Sharda Para, Camp - 2, J. P. Nagar, Near Yadav Kirana Stores, Bhilai, District - Durg Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through - P.S. Chhawani, District Durg Chhattisgarh

---- Respondent

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For Applicants : Mr. M.P.S. Bhatia, Advocate

For Respondent/State : Mr. Neeraj Kumar Sharma, Dy.G.A.  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**09-08-2016**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 6-11-2013 in connection with Crime No. 777 of 2013 registered at Police Station Chhawani, District Durg (CG), for the offence punishable under Sections 147, 148, 149, 302, 201 of the IPC and Sections 25/27 of the Arms Act.
2. Case of the prosecution, in brief, is that on 4-11-2013 the applicant along with other co-accused persons took away one Anil Singh, thereafter committed murder and threw the dead body into a tank and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the summons were issued to the witnesses, they have been served, but they have not turned up despiteailable warrants have been issued to them, therefore, prosecution has failed to produce the witnesses. He would further submit that charge-sheet has been filed in the case, the applicant is in jail since 6-11-2013 and no further investigation is required, therefore, he may be released on bail.

4. *Per contra*, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary, statements and order sheets also which would show that four witnesses have been examined on different dates and the summons have been issued to other witnesses, though they have been served, but they have not turned up despite bailable warrants have been issued to them.
6. Taking into consideration the facts and circumstances of the case, nature of offence of the testimonies of the witnesses and also the fact that the bail application of similarly placed other co-accused person has been dismissed by coordinate Bench of this Court vide order dated 17-3-2016 passed in M.Cr.C.No.1642 of 2016, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is liable to be and is hereby dismissed. However, the trial Court is directed to expedite the trial early.

Sd/-  
**(Goutam Bhaduri)**  
Judge

Raju