

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1067 of 2016

- Bodh Tiwari S/o Udaybhan Tiwari Aged About 40 Years R/o Village Nareshpur, Police Station & Tahsil Surajpur, District Surajpur, Civil & Revenue, District Surajpur, Chhattisgarh.

---- Petitioner

Versus

- The State Of Chhattisgarh Through Station House Officer, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate.
For Respondent : Mr. Satish Gupta, Govt. Advocate

(Hon'ble Shri Justice Manindra Mohan Shrivastava)
Order On Board By

11/02/2016

1. This is the third bail application filed under Section 439 of Cr.P.C. for grant of regular bail to the Applicant who is in jail since 15/07/2014 in connection with crime no. 190/2014 registered at Police Station – Surajpur, District- Surajpur, Chhattisgarh for the offence punishable under Section 395 of IPC.
2. Learned counsel for the Applicant argues that the Applicant has remained in jail for fairly long period without trial being concluded. He further submits that Aslam Ansari has been examined but he has not supported the case of the prosecution and the two other allegedly eye-witnesses- Shabbir Ansari and Mustafa Ansari are not turning to depose despite issuance of summons and warrants, therefore, in the change circumstances, the Applicant has prayed for regular bail.
3. Learned State counsel opposes the prayer for grant of bail.
4. On perusal of the order sheets, it is found that warrant was issued to Shabbir Ansari and Mustafa Ansari for their appearance and examination on 15/02/2016.
5. In view of earlier order dated 01/09/2015, the application is, therefore, rejected at this stage with liberty to revive as per the observations made in order dated 01/09/2015.

Sd/-
(Manindra Mohan Shrivastava)
Judge