

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 891 of 2016**

- Dinesh @ Manu S/o Shri Krishna Kumar Mishra, aged about 23 years, R/o Durga Mandir Kota, Distt. Raipur (CG).

---- Applicant.

Versus

State of Chhattisgarh through PS Saraswati Nagar, Raipur (CG).

---- Respondent

For Petitioner
For Respondent

Shri Maneesh Sharma, Advocate.
Shri Ramakant Mishra, Deputy Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/02/2016**

1. This is second bail application in connection with Crime No.220/2012, registered at Police Station Saraswati Nagar, Raipur, for the offence punishable under Sections 302,307,294,506-B,147 and 148 IPC.
2. Counsel for the applicant submits that first bail application was dismissed on 26.08.2014. Thereafter there is no development in the trial for some reason or other, he referred to Annexure A/3 i.e. the order dated 20.01.2016 of trial court. He also submits that co-accused Manoj Patnaik has made a statement before the trial court that he does not want to cross examine the witnesses who have already been examined by the prosecution, and therefore, he be released on bail as he is in jail for last three and half years.
3. Counsel for the State opposes the bail application on the ground that the first

bail application was rejected considering the merits of the case. He also submitted that there is no delay and that all the witnesses have already been examined so far as present applicant is concerned.

4. Considering the total facts and circumstances of the case and taking note of the last order sheet of trial court dated 20.01.2016 with regard to fixing of next date for hearing on 29.01.2016 it is clear that trial court is proceeding with the case with all promptness by granting short adjournments, this court is therefore not inclined to grant bail to the applicant at this juncture. However, it is expected that the trial court shall try to conclude its proceedings as expeditiously as possible.

Sd/-

(P.Sam Koshy)

JUDGE

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