

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5620 of 2015

- Rakesh Chandrakar S/o Late Bhikhuram Chandrakar Aged About 29 Years R/o Jalvihar Colony, Rudri, Police Sttion Rudri, District Dhamtari Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Arjuni, District Dhamtari Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sunil Sahu, Advocate.
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 106/2015 registered at Police station Arjuni, Distt. Dhamtari (C.G) for the offences punishable under sections 450, 302, 201, 380, 376 of IPC and Sections 3(2)(5)(3) and 3(1)(xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 07.05.2015 the applicant has forcibly entered into the house of victim Pingala Raj and assaulted her by means of hammer & wrench and thereby she died.
3. Learned counsel for the applicant submits that 7 witnesses are still to be examined and the trial will take time, therefore, the applicant may be enlarged on bail.
4. Learned state Counsel submits that out of 29 witnesses, only 7 remained to be examined and according to the information received by him, the case was listed on 19th and 20th January

2016 and the examination of all prosecution witnesses must have been completed.

5. In view of such fact and circumstances, it appears that the trial is almost at the fag end and considerable number of material witnesses has already been examined. Therefore, I do not deem it to evaluate the evidence at this stage. Thus considering the stage of trial, without expressing any opinion on merits of the case, I am not inclined to allow this bail petition. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao