

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7745 of 2015

- Tipu Sinha S/o Shyam Lal Sinha Aged About 24 Years R/o Saigona, Police Station Khamhariya, District Bemetara Chhattisgarh Presently Residing At Borshi Road, Kasaridih, Police Station City Kotwali, Durg, District Durg Chhattisgarh
--- **Petitioner**

Versus

- State of Chhattisgarh Through : Police Station - Khamhariya, District Bemetara Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. Utkarsh Verma, Advocate
For the Respondent	:	Mr. Ramakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 97 of 2014 registered at P.S. Khamhariya, District Bemetara (C.G) for the offence punishable under Section 302 read with Section 34 of IPC.
2. The prosecution case, in brief, is that on 30.07.2014 the present applicant along-with co-accused Hemant Sahu assaulted Malik Ram with sharp knife on the neck and thereby he died.
3. Learned counsel for the applicant submits that the applicant is in jail since 30.07.2014 and the trial is still not complete, therefore, on the ground of delay in trial, he prays for releasing the applicant on bail.
4. Per contra, learned State Counsel opposes the bail application and submits that the witnesses are regularly being examined.
5. Perused the documents. It appears that the eye-witnesses

have been examined and they have made positive statements.

6. Taking into fact that the eye witnesses have been examined and positive statements have been made, I am not inclined to release the applicant on bail. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao