

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5274 of 2016

Gaurav Joshi, S/o. Vijay Joshi, Aged About 29 Years, At Present R/o. Near Hospital VY, Devpuri, Police Station Tikrapara, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station New Rajendra Nagar Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.09.2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.118/2015 registered at Police Station New Rajendra Nagar, Raipur (C.G.) for the offence punishable under Section 420, 467, 468 of Indian Penal Code. The first bail application was dismissed on merit on 18.01.2016 in MCRC No.7705 of 2015.
2. As per the prosecution case, the applicant in order to provide job to the complainants Arun, Keshav, Ved Prakash, Pawan, Harishankar & Srikant in Mantralaya obtained Rs.11.20 Lakhs from them.
3. Learned counsel for the applicant would submit that the applicant is in jail since 2015 and out of 23 hearings 18 hearings have been adjourned and only six witnesses have been examined as there is delay in trial, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature and gravity of offence and the fact that earlier bail application was dismissed on merit and further considering the fact that six witnesses have already been examined, I do not find it to entertain the bail application as there is no change of circumstances.
6. Accordingly, the instant bail application filed under Section 439 of Cr.P.C. is dismissed. However, the trial Court is directed to expedite the trial and do not extend the case on trivial issues.

Sd/-
(Goutam Bhaduri)
Judge