

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5686 of 2016

Rama Kishore Singh @ Ram Singh S/o Shri Kapileshwar Singh Aged About 49 Years (Wrongly Mentioned) R/o Village Kumharkol, Police Station Desri, District Vaishali, Bhair, At Present Member Of Parliament (Lok Sabha), Vaishali Nagar, Office Address 12, Janpath New Delhi 110001.
--- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kumhari, District Durg, Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. N. Naha Roy, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.12.2016

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 233/2001 registered at Police Station Kumhari, Distt. Durg (C.G) for the offence punishable under Sections 364-A, 365, 395, 120-B, 344, 412, 201 & 414 of the IPC. The earlier bail application was dismissed on merits vide order dated 27.07.2016.
2. Learned counsel for the applicant would submit that despite all the efforts being made, the trial is not being concluded and even though almost all witnesses including the Investigating Officer have been examined, yet two witnesses are not turning up, therefore, the delay is being caused. It is further submitted that the applicant is in jail since 07.06.2016 and he may be enlarged on bail.
3. Per contra, learned State Counsel opposes the bail and submits that only two witnesses namely Jaichand Vaidya and

Tapan Das remained to be examined.

4. Perused the earlier rejection order dated 27.7.2016 wherein the bail was dismissed on merits predominantly taking into the fact that the applicant has surrendered only after the direction issued by the Supreme Court on 09.05.2016.
5. The incident is of the year 2001. Taking into consideration facts that only two witnesses are yet to be examined and the trial is at the fag end, I am not inclined to release the applicant on bail at this stage. Accordingly, the bail application is rejected.
6. The trial Court is requested to expedite the trial within a period of 4 months from today.

Sd/-

**GOUTAM BHADURI
JUDGE**