

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5569 of 2016**

Amit Sardar S/o Brojen Sardar, aged about 22 years, R/o 18
Block Mana Camp, District Raipur (CG)

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police
Station Mana Camp, District Raipur (Chhattisgarh).

---- Respondent

For Applicant	:	Smt. Indira Tripathi, Advocate
For Respondent/State	:	Shri O. P. Sahu, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17/11/2016**

This is the second application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 09.12.2015 in connection with Crime No. 211 of 2015 registered at PS Mana Camp, District Raipur for the offence punishable under Sections 420, 467, 468, 471, 120-B, 34 of IPC.

2. The earlier bail application of the applicant was dismissed as withdrawn by this Court vide order dated 07.06.2016.

3. Counsel for the applicant submits that till now only 11 prosecution witnesses out of 71 have been examined and there is no substantial material extracted by the prosecution from the said 11 witnesses. She submits that the trial is progressing at a slow pace and the applicant is unnecessarily languishing in jail for no fault on his part. She further submits that the main accused in the instant case is Gopal Mandal who is still absconding and the petitioner is in jail for the last one year. Therefore, considering all these facts the applicant may be released on bail.

4. Per contra, State counsel opposes the application for grant of bail and submits that from the 11 witnesses who have been examined there are more than 2-3 witnesses who have stated that

the present applicant is one of the persons who used to make collection on behalf of accused Gopal Mandal.

5. In the given facts and circumstances of the case this Court does not find any strong case or changed circumstances made out in the second bail application to release the applicant on bail at this juncture.

6. Accordingly, the application for grant of bail is rejected.

**Sd/-
(P. Sam Koshy)
JUDGE**