

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5919 of 2016

Manoj Anant S/O Shri Dayaram Anant, Aged About 24 Years, R/O
Village Dhandhan, Police Station & Tahsil Takhatpur, District
Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Takhatpur, District
Bilaspur, Chhattisgarh.

---- Respondent

For applicant - Smt. Kiran Jain, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/09/2016

1. This is the third bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 1/12/2015 vide M.Cr.C. No.6494/2015. The second bail application was dismissed on 2/05/2016 vide M.Cr.C. No.2490/2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 200/2015 registered in Police Station Takhatpur, District Bilaspur (C.G.) for offence punishable under sections 147, 148, 149, 294, 307, 323, 327/34 of IPC.
3. Case of the prosecution, in brief, is that on the date of incident, Shiva Sonwani and his sons were cultivating their land at that time, the applicant along with others came down and assaulted, Sukhchain and Sant Kumar to cause death. Sant Kumar sustained four injuries and one of them is on head and likewise Sukhchain also sustained injuries on his head at the parietal region and rest on the other part of the body.
4. Learned counsel for the applicant submits that after closure of the evidence of the prosecution, another application has been filed under Section 311 of Cr.P.C. wherein two witnesses have been further recalled,

therefore delay has been caused. Therefore, learned counsel submits that the applicant may be released on bail.

5. Learned State counsel was directed to verify the cause of delay. He submits that the case is presently on an application filed under Section 311 of the Cr.P.C. Presently same was allowed and the case is now fixed for evidence on 4/10/2016.

6. Considering the facts and circumstances of the case, as the earlier bail applications were dismissed on merits, I do not find any reason to entertain this third bail application.

7. Accordingly, the third bail application is dismissed. However, trial court is directed to expedite the trial and conclude the same as early as possible and preferably within a period of two months from today.

Sd/-

(Goutam Bhaduri)

JUDGE