

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6175 of 2016

- Vishal Tyagi S/o Late Shri Lokesh Tyagi Aged About 21 Years R/o Mahatma Gandhi Nagar, Camp No. 2 P.S. Chhavni Bhilai Tahsil And Distt. Durg Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Police Station Kharora, Distt. Raipur Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Arvind Kumar Dubey, Advocate
For the Respondent	:	Mr. Anand Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.10.2016

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. 392/2014 registered at P.S. Kharora, Distt. Raipur (C.G) for the offence punishable under Section 34(2) of IPC.
2. The earlier bail application was dismissed as withdrawn on 12.07.2016 with liberty to repeat the same after examination of the seizure witness.
3. As per the prosecution case when a raid was conducted on 31.10.2014 the applicant was caught with 259.200 bulk litres of illicit liquor. Subsequently he was arrested on 14.08.2015.
4. Learned counsel for the applicant submits that despite the order dated 12.07.2016, the seizure witnesses still have not been examined and the applicant is in jail since 14.08.2015, therefore, he may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.

6. Perused the earlier dismissal order dated 12.07.2016.
Thereafter, it appears that two dates have elapsed. In the opinion of this court no considerable time has passed from the date of passing of earlier rejection order.
7. However, taking into consideration the fact that the applicant is in jail since 14.08.2015, the learned court below is directed to expedite the trial within a further period of 3 months.
8. Accordingly, this application stands disposed with the above direction.

Sd/-
GOUTAM BHADURI
JUDGE