

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1073 of 2017**

Devendra Kumar, aged about 21 years, S/o Ramkrishna
Suryawanshi, R/o Village Putpura, Tahsil & Police Station
Janjgir, District Janjgir-Champa (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through: Police Station – Janjgir,
District Janjgir-Champa (C.G.)

---- Respondent

For Applicant: Mr. Arun Kochar, Advocate.
For Respondent/State: Mr. Dhiraj Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****10/02/2017**

Heard.

(1) The accused/applicant has moved this second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.574/2015 registered at Police Station Janjgir, District Janjgir-Champa for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

(2) The applicant's first bail application was dismissed as withdrawn by order of this Court dated 14.03.2016 passed in M.Cr.C. No. 1157/2016 with a direction to the trial Court to expedite the trial.

(3) Counsel for the applicant submits that there is no substantial progress in the trial; and the applicant is languishing in jail since 30.10.2015 and therefore, the applicant may be released on bail. He placed reliance upon the judgment of the Supreme Court in the matter of ***Chandrakeshwar Prasad @ Chandu Babu Vs. State of Bihar & another***¹ in support of his submission.

(4) Having heard learned counsel appearing for the applicant, having regard to the facts & circumstances of the case; and material brought on record by the prosecution as on date and after considering the material, I do not find any good ground to entertain this second bail application. Thus, the second bail application is rejected. However, the trial Court is directed to expedite the trial as directed on 14.03.2016.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

1 (2016) 9 SCC 443