

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8231 of 2016

- Shriram Nishad @ Shiv S/o Mungloo Nishad, Aged About 22 Years R/o Village Bana, Police Station & Post Office Urla, Raipur, District Raipur (Chhattisgarh).

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Urla, District Raipur (Chhattisgarh).

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-01-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 8-3-2015 in connection with Crime No. 55 of 2015, registered at Police Station Urla, District Raipur (CG) for the offence punishable under Sections 147, 148, 294, 506(B), 323, 307 & 302 of IPC.
2. Case of the prosecution, in brief, is that on 6-3-2015 present applicant along with other co-accused have formed unlawful assembly and caused death of one Duleshwar Nishad and assaulted the other persons which was sufficient to cause their death and thereby the aforesaid offence has been committed.
3. Learned counsel appearing for the applicant would submit that only five witnesses are remained to be examined and the trial is at

the verge of completion and the witnesses have not deposed against the present applicant, therefore, the counsel prays that the applicant may be enlarged on bail.

4. Per contra, learned counsel for the State opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties.
6. Considering the submission made by learned counsel for the applicant that the trial is at the verge of completion, I am not inclined to go into the merits of the case as it will reflect the opinion on merits.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C., is dismissed. However, the trial Court is directed to dispose of the trial within further period of two months from the date of receipt of a copy of this order.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju