

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 383 of 2017

- Suresh Miri S/o Fagu Ram Miri, Aged About 25 Years R/o Village- Godhi, Police Station- Bilha, Tahsil And District- Bilaspur Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through- the Station House Officer, Police Station- Bilha, District- Bilaspur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rajeev Kumar Dubey, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.02.2017

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.263/2015 registered at Police station Bilha, Distt. Bilaspur (C.G) for the offence punishable under Sections 306, 363, 366-A, 376 (Jha) of IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant had developed physical relation with deceased Silviya Peter and she was deserted as such she committed suicide by hanging. The allegation against the applicant is that the applicant has abetted the happening of crime.
3. Learned counsel for the applicant would submit that so far 11 witnesses have already been examined and they have not supported the case of prosecution and the report of handwriting expert is awaited and the trial may take some time, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. The earlier bail application was dismissed on merits on 17.08.2016.
6. A perusal of the record would show that almost 11 witnesses have been examined and the trial is at the fag end. Therefore I am not inclined to adjudicate the case by usurping the power of the trial Court. Accordingly, the bail application is rejected.
7. However, the trial Court is requested to expedite the trial.

**Sd/-
GOUTAM BHADURI
JUDGE**

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