

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1101 of 2017

Amit Jaiswal, S/o. Shri Mohan Prasad Jaiswal, Aged About 35 Years, R/o. Purani Basti Near Shiv Mandir, Co- Operative Bank Street, Police Station-Kotwali, Tahsil & District - Korba, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through -Post Incharge Rampur, Police Station-Kotwali, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikrant Pillay, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/03/2017

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.208/2016, registered at Police Station – Kotwali, District – Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B of Indian Penal Code. The first bail application was dismissed for want of prosecution vide order dated 06.10.2016 and the second bail application was dismissed on merits vide order dated 08.11.2016.
2. Case of the prosecution, in brief, is that on 06.05.2016, the applicant in order to furnish bail in the magisterial court had submitted forged rin pustika. On enquiry being made, the applicant was apprehended. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant is in jail since 07.05.2016 and there is no substantial progress in the trial. It is further submitted that the applicant is in jail since 07.05.2016,

therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the order sheet filed along with the present petition. Perusal of the order sheet dated 27.12.2016, 09.01.2017, 23.01.2017 would show that though the witnesses were present, the counsel of the applicant has sought time and has not examined the witnesses, therefore, the case was adjourned. Considering the same that case was adjourned at the behest of the applicant, the case is delayed can not be highlited as it appears that the same is delayed because of non-examination of the witnesses. Taking into such fact, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge