

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1491 of 2017

- Durgesh Kolhe S/o Tamdeshwar Kolhe, Aged About 24 Years R/o Kampa Lodhipara Jaihind Chowk, Police Station Pandri Raipur, Tahsil & District- Raipur, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through: Police Station Pandri District Raipur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Arvind Kumar Dubey, Advocate

For Respondent/State : Mr Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22--3-2017

1. This is second bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 3-6-2016 in connection with Crime No. 134 of 2016 registered at Police Station Pandri, District Raipur (CG), for the offence punishable under Sections 307/34 of IPC and Sections 25 & 27 of the Arms Act. Earlier first bail application was dismissed on merits on 13-12-2017.
2. As per prosecution case, on 25-05-2016 over an old enmity, present applicant along with other co-accused namely Jitendra Singh assaulted the victim Rajesh Verma by way of knife and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant is in jail since 3-6-2016 and till date no charges

have been framed, therefore, considering the detention period, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the earlier bail rejection order which was dismissed on merits.
7. Considering the facts and circumstances of the case, nature of allegations leveled against the applicant and the evidence available on record, I do not find that any exorbitant delay is being caused in the trial.
8. Accordingly, the second bail application filed under Section 439 of Cr.P.C., is also liable to be and is hereby dismissed. However, the trial Court is directed to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge

Raju