

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1514 of 2017

1. Fulkuwar Ratre, W/o. Late Rath Ram Ratre, aged about 36 years, R/o. Dhamni, P.S. - Hasod, District – Janjgir-Champa (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant : Mr. Ishwar Jaiswal, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/03/2017

1. This is the second 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.53/2016, registered at Police Station – Hasod, District – Janjgir-Champa (C.G.) for the offence punishable under Section 302 Indian Penal Code. The first bail application was dismissed on merits vide order dated 14.09.2016 in M.Cr.C. No.5401/2016.
2. As per prosecution case, on 04.05.2016 one Rathram was killed who is husband of the applicant. It is alleged that over some dispute the deceased was assaulted by way of spade on his head by the applicant who is the wife.
3. Learned counsel for the applicant would submit that the applicant is in jail since 06.05.2016 and considerable time has passed and there is no substantial progress in the trial, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and it is submitted at bar that three witnesses have already been examined.
5. I have heard the learned counsel for the parties.
6. Considering the fact that earlier dismissal order was of 14.09.2016 and further taking into the fact that three witnesses have already been examined, I do not find any change of circumstances to reconsider the bail application again.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed. However, the trial Court is requested to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge