

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4262 of 2017

- Omprakash Dhimar S/o Panchu Dhimar Aged About 20 Years R/o Village- Mohgaon, Thana- Saja, District- Bemetara, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- Thana- Saja, District- Bemetara, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Sameer Singh, Advocate
For Respondent/State	:	Shri Manish Nigam, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/07/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.332/2016 registered at Police Station Saja, District Bemetara, for the offence punishable under Section 363, 366-A, 376, 506 of IPC and Section 5(I)& 6 of the Protection of Children from Sexual Offences Act, 2012. The applicant has been arrested on 25-10-2016.

3. This is a second application for grant of bail.

4. Learned counsel for the petitioner has moved this bail application mainly on the ground of delay in trial. It is submitted that the applicant is in jail since 25-10-2016 and till date, the trial is not complete and number of prosecution witnesses are yet to be examined.

5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that the applicant has committed heinous offence and therefore, only on the ground of long detention of the applicant of 9 months, he is not entitled to bail.

6. Having considered the submission of learned counsel for the parties, I am

not inclined to grant bail to the applicant only on the ground of delay in trial. The bail application is rejected at this stage. However, it is directed that the trial Court shall do well to conclude the trial as early as possible.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E