

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4432 of 2017

- Sanjay Paraste S/o Shyam Lal Paraste, Aged About 35 Years, R/o Village Rahangi Indrapur Police Station Chakarbhata, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Bilaspur & Police Station Sirgitti, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant – Shri P.K.Tulsyan, Advocate.

For Non-applicant/State – Shri Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

09-08-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.114/2017 on 23-03-2017 by P.S. Sirgitti, District Bilaspur C.G. for the offence under Section 384 of the IPC. After investigation charge sheet has been filed which is pending before the JMFC Bilaspur as Criminal Case No.4905/17. Learned counsel for the applicant would further submit that this is second bail application; initially MCRC No.2214/2017 has been dismissed by this Court on 19-04-2017. The matter is punishable for imprisonment upto three years or with fine or with both. In the present matter, the applicant is in custody since 23-03-2017, i.e., more than four months. Hence, the application may be allowed and the applicant may be enlarged on bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant.
4. Perused the order dated 19-04-2017 passed in MCRC No.2214/2017. This Court after consideration of entire facts dismissed the prayer for bail on merits. Since there is no any change in circumstances, I am not inclined to take

a different view. Consequently, the instant MCRC, the repeat bail application, is also dismissed.

5. At this stage, learned counsel for the applicant would submit that till date only the charges are framed. The trial Court may be directed to expedite the matter.

6. On due consideration, prayer of the applicant made to expedite the trial is hereby allowed. The Court below is directed to expedite the trial and dispose of the matter as early as possible preferably within six months from the next date of hearing under intimation to the Registry. The party shall cooperate in the trial.

Sd/-

(Chandra Bhushan Bajpai)
Judge