

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No.675 of 2017

Indar Tiwari S/o Late Bhuneshwar Aged About 18 Years R/o Village Paraswar Rajakhadiya Sakti Nagar Police Station Sakti Nagar, District Sonbhadra, Uttar Pradesh.

---Appellant

Versus

State Of Chhattisgarh Through The S H O, Police Station Odgi, District Surajpur, Chhattisgarh

---Respondent

For Appellant	:	Shri Atanu Ghosh under instruction of Shri Ashok Shukla, Advocate.
For Respondent/State	:	Ms.M.Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

29/08/2017

1. Present is an revision petition seeking for grant of bail to the applicant in Criminal Case No.70/2016 registered at police station Odagi, District Surajpur and where the present applicant-Minor Juvenile is being prosecuted before the Juvenile Justice Board, Surajpur for the offence punishable under Section 307, 397, 302 of I.P.C. and also under Section 25 and 27 of the Arms Act.
2. This is the repeat application. The earlier application was decided on merits on 01/08/2016 where this court has rejected the application on merits.
3. The counsel for the applicant submits that, thereafter few witnesses have been examined and who have not supported the case of the prosecution and therefore the present applicant who is in jail since 13/09/2015 may be released on bail.
4. The State counsel however opposing the petition submits that, there are still material witnesses who have to be examined and for whom the summons have already been issued particularly to one Ramashankar Singh who has categorically in his 161 statement deposed against the present applicant as one of the main accused persons.
5. Considering the fact that some of the material witnesses are yet to be examined and it is only 7 out of the 41 witnesses cited by the prosecution who could be examined till now, this court is of the opinion that no strong

case has been made out for grant of bail at this juncture, particularly when the earlier application for bail has been rejected by this court on merits.

6. Reserving the right of the petitioner to repeat the application after the material witnesses are examined, the present revision petition stands dismissed.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit