HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4666 of 2017

1. Rahul Sona S/o Bablu Sona Aged About 20 Years R/o Bapu Nagar, Raigarh, District Raigarh, Chhattisgarh.

2. Niranjan Deep S/o Mahesh, Aged About 19 Years R/o Bapu Nagar, Raigarh, District Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through, Station House Officer, Police Station Kotwali, District Raigarh, Chhattisgarh.

---- Respondent

For applicants - Shri Ashish Gupta, Advocate.
For Respondent/State – Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/07/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 24/11/2016 vide M.Cr.C. No. 7389 of 2016 with liberty to repeat the same after examination of the complainant.

2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 572/2016 registered in Police Station Kotwali, District Raigarh (C.G.). for offence punishable under section 392/34 of IPC.

3. As per the prosecution case, on 24/09/2016 the applicants have looted Rs.5000/- from Vinod Rai for which when the report was lodged the applicants were arrested and the amount was seized.

4. Learned counsel for the applicants submits that complainant Anil Tiwari and Vinod Rai could not be served and the applicants are in jail since 24/09/2016, therefore, the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail and

would submit that out of five witnesses, three witnesses have been examined only two witnesses are still to be examined.

6. Considering the same out of five witnesses, three witnesses have been examined as stated by the State counsel, I am not inclined to reconsider this second bail application at this stage as the complainant is yet to be examined.

7. Accordingly, the second bail application is dismissed. Learned trial court is requested to expedite the trial.

Sd/-

(Goutam Bhaduri)

JUDGE

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