

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4843 of 2017

Ramswaroop Sahu S/o Shri Anand Ram Sahu Aged About 40 Years
R/o Village Chaprid, Police Station Arang, District Raipur
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of
Police Station Tumgaon, District Mahasamund Chhattisgarh.

---- Respondent

For applicant - Smt. Smita Jha, Advocate.
For Respondent/State – Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/07/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 2/03/2017 vide M.Cr.C. No.1084 of 2017.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 108/2016 registered in Police Station Tumgaon, District Raipur (C.G.) for offence punishable under section 302 of IPC.
3. As per the prosecution case, on 9/06/2016 a decomposed body of lady was recovered which was subsequently identified as Kunti Bai. The investigation reveals that the deceased had illicit relation with the applicant and he was pressurizing her to marry him. Consequently, she was eliminated.
4. Learned counsel for the applicant submits that 9 witnesses have been examined, they have not supported the case of the prosecution, therefore the applicant may be enlarged on bail.
5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the statement made, it will not be proper for this court to adjudicate the case on merit as it will amount to usurping power of the trial court. Considering the facts, I do not find any change of circumstances to reconsider this second bail application.

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

Sd/-

(Goutam Bhaduri)

JUDGE