

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 5599 of 2017

- Santosh @ Golu Sahu S/o Goverdhan Sahu, Aged About 30 Years R/o Sahupara Gandai, Police Station Pandatarai, Tehsil Pandariya, District Kabirdham, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Lormi, District Mungeli, Chhattisgarh.

---- **Respondent**

30.08.2017	Mr. Dharendra Pandey, counsel for the applicant. Mr. Ramakant Pandey, Panel Lawyer, for the State. This is second bail application filed u/s 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.189/2016 registered at Police Station Lormi, Distt. Mungeli (C.G) for the offence punishable u/s 394/34 & 120-B of IPC. As per the prosecution case, on 06.05.2016 while the complainant Rajkumar who deals in business of sale of Gold and silver was going from village Dumarha to Khaparikala, on the way three persons came and threw chilly powder on his face and looted 300 grams of gold and 15 kgs., of silver worth Rs.15 lakhs. Subsequently, the applicant and other accused were arrested and from the possession of the applicant, 8.81 kgs., of silver and 202.10 grams of gold were recovered. Learned counsel for the applicant submits that the applicant is in jail for more than 1 year and the trial is not concluded, therefore, the applicant may be enlarged on bail. On the other hand, learned state counsel opposes the bail application. The earlier bail application was rejected on 07.03.2017 and the order sheets placed on record would show that that the trial has commenced on 20.03.2017. It appears that on 11.07.2017, the witnesses were

Rao	present. At the behest of the accused, the date was obtained. One of the witnesses was present and he was examined and subsequently another witness was summoned. Therefore, it appears that the trial is in progress. Considering the facts situation of the case, I do not find any reason to reconsider the application for grant of bail to the applicant at this stage. Accordingly, the bail application is rejected. However, the trial Court is directed to expedite and complete the proceedings within a period of 3 months. Sd/- GOUTAM BHADURI JUDGE
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