

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7065 of 2017

Shobhnath Yadav, S/o. Gyani Yadav, Aged About 46 Years, R/o. Patelpara, Sundarpur, Police Station Sanawal, District Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Sanawal, District Balrampur, Chhattisgarh.

---- Respondent

For Applicant : Ms. Hamida Siddiqui, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.11.2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.12/2016 registered at Police Station- Sanawal, District Balrampur (C.G.) for the offence punishable under Sections 302 of I.P.C. The first bail application was dismissed on merit on 30.11.2016 in MCRC No. 7613 of 2016.
2. Case of the prosecution, in brief, is that death of one Urmila @ Leelavati was reported as merg intimation that she consumed poison and died. Subsequently, in the post-mortem report, the reason was assigned that she did not die because of poison but it was death of homicidal in nature due to hypovolemic and nephrogenic shock. Post-mortem report also shows that certain anti-mortem injuries were reported. Subsequently, police recorded the statement of Ku. Sangita, daughter of the deceased wherein she has stated that the applicant assaulted the deceased by way of club and thereby the aforesaid offence was committed.

3. Learned counsel for the applicant submits that there is no progress in the trial and the applicant is lodged in jail since 26.09.2016, therefore, he may be released on bail.
4. Perused the documents. Considering the fact that earlier bail application was dismissed on merit, I do not find any change of circumstances to reconsider the instant second bail application. Accordingly, the second bail application is dismissed. However, the trial Court is requested to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge