

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 499 of 2017

Sushama Baghel W/o Late Anil Baghel Aged About 31 Years R/o
CSEB Colony Korba, Tahsil And Police Station Kotwali, District
Korba, Chhattisgarh.

---- Petitioner

Versus

1. Raju Francis S/o Shri Siomon Francis Aged About 34 Years R/o
Manikpur Colony Korba, Police Chouki- Rampur- Police Station-
Kotwali, Tahsil And District- Korba, Chhattisgarh.

2. State Of Chhattisgarh Through Police Chouki- Rampur, Police
Station- Kotwali, Tahsil And District- Korba, Chhattisgarh.

---- Respondents

For petitioner – Shri Vikash Pandey, Advocate.
For respondent No.1-Shri Awadh Tripathi, Advocate.
For State/respondent No.2-Shri Sameer Behar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

6/12/2018

Heard.

1. Instant petition is for cancellation of bail order dated 21/12/2016 passed in M.Cr.C. No.8208 of 2016.
2. It is contended that after the bail was granted to the respondent No.1, victim was continuously put under threat and during the trial certain documents were filed. Consequently, trial is delayed. It is submitted that because of the conduct of the respondent No.1 statement of the witnesses could not be recorded. Learned counsel further submits that certain facts have been narrated which would be evident from the covering memo.
3. Learned counsel for respondent No.1 vehemently opposes the argument and submits that it is for the court to carry on the trial and it is not within his hand.
4. Perused the document. There is nothing on record to show that any adverse facts have surfaced after grant of bail to respondent No.1 which

may be considered by this court. The Supreme Court in case of **Abdul Basit alias Raju & Ors. Vs. Mohd. Abdul Kadir Chaudhary & Anr.** reported in **(2014) 10 SCC 754** has laid down that in absence of any facts bail order once granted cannot be reviewed. Facts do not suggest that any adverse fact has surfaced on the part of respondent No.1.

5. Accordingly, the petition has no merit and it is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE