

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1023 of 2018

Umend Kumar Koshle @ Umesh, S/o. Sadhelal Koshle, Aged About 30 Years, R/o. Village Levae, P.S. Bhatapara, District Balodabazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate, Balodabazar, Police Station Gidhori, District Balodabazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Ms. Aditi Singhvi, Advocate

For Respondent : Mr. Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.02.2018

1. This is the third 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.83/2015 registered at Police Station- Gidhori, District Balodabazar- Bhatapara (C.G.) for the offence punishable under Sections 379, 407, 420, 120(B), 34 of Indian Penal Code and Section 3 & 7 of Essential Commodities Act, 1955. The first bail application was dismissed on merit on 14.09.2016 and second bail application was dismissed on 22.08.2017.
2. Learned counsel for the applicant submits that earlier a wrong submission was made that out of 11 witnesses 10 witnesses have been examined, however, the same was not correct and the petitioner is in jail since 11.07.2015; therefore, he may be released on bail.
3. Per contra, learned State counsel opposes the prayer for grant of bail and submits that as per the information received from the

S.H.O. Gidhori, out of 22 witnesses 20 witnesses have already been examined and the case is fixed for 29.02.2018.

4. Considering the fact that the trial is at the fag end, I do not find it necessary to decide the case on merit. Therefore, I am not inclined to release the applicant on bail.
5. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok