

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6387 of 2017

- Chitranjan Patel @ Santu S/o Shri Dileshwar Patel Aged About 26 Years Occupation Service Nav Durga Fuels Gerwani R/o Village Dumarsingha, Thana Sariya, Tahsil Baramkela District Raigarh Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station City Kotwali, District Raigarh Chhattisgarh , Chhattisgarh

---- Respondent

For the applicant : Ms. Sharmila Singhai,
Advocate

For the Respondent/State : Shri Anant Bajpai, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07.02.2018

1. The applicant's first bail application is dismissed as withdrawn by this Court, and his second bail application was decided on merits by the co-ordinate Bench of this Court in **M.Cr.C. No. 4363 of 2017**, order dated **04.09.2017**.
2. 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. 644/2016 registered at Police Station – City Kotwali, District – Raigarh, (C.G), for the offence under Sections 313, 498 (A) of the Indian Penal Code.

3. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case and he is in jail since **15.02.2017**, charge-sheet has been filed on **09.03.2017**, subsequent to that no progress has taken place in the trial against the present applicant. Till date only one witness has been examined out of the 12 witnesses in the list of the prosecution case. The trial is likely to take some time for its completion, for this reason, it is prayed that the applicant may be released on bail.
4. Learned counsel for the State opposes the bail application and submits that charge against this applicant has been framed, in which the offence under Section 313 IPC is punishable of life imprisonment, hence, he is not entitled for grant of bail.
5. Heard counsel for both the parties and perused the case diary.
6. Considered, the applicant's second bail application has been dismissed on merits. Almost one year has passed and the trial is not yet completed.
7. Considering the submissions made and contents of the case diary and further considering the facts that the applicant is in jail since **15.02.2017** and the trial is likely to take some more time for its completion, for this reason, this Court is of the opinion that this is a fit case where the applicant should be released on bail.

8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Jamal