

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 5643 of 2018**

Dilip Kumar Verma S/o Shri Nemchand Mahto, aged about 24 years, R/o village Dasdih, PS & Tah. Gandey, District Giridih, Civil and Revenue District Giridih (Jharkhand)

**---- Applicant****Versus**

State of Chhattisgarh through Police Station Gurur, District Balod, Chhattisgarh

**---- Respondent**


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| For Applicant        | : | Shri M. K. Sinha, Advocate |
| For Respondent/State | : | Shri Shashank Thakur, G.A. |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****06/08/2018**

Present is a repeat bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 12.06.2017 in connection with Crime No. 149/2017 registered at Police Station- Gurur, District Balod (CG) for the offence punishable under Sections 420, 467, 468, 471, 120-B/419 of IPC and Section 66(ए) of I.T. Act.

**2.** The earlier bail application was dismissed as withdrawn with liberty to revive the same after examination of the material witnesses vide order dated 27.11.2017 in MCRC No. 5823/2017.

**3.** Counsel for the applicant submits that till now only 3 witnesses have been examined and 15 more witnesses are left to be examined. Contention of the counsel for the applicant is that there is an inordinate delay in conclusion of the trial in as much as after examination of 3

witnesses, in spite of summons being sent to the remaining witnesses, they are not turned up and therefore, the petitioner is unnecessarily languishing in jail. Thus, prays for the applicant to be released on bail.

4. State counsel, however, opposing the bail application submits that the earlier bail application was rejected after considering the entire factual matrix of the case and liberty was granted to revive the same only after examination of the material witnesses and till date the material witnesses have not been examined and only three witnesses have been examined.

5. Having heard the contentions put forth on either side and on perusal of the allegations which have been attributed against the applicant that of impersonating himself as an Officer of Dena Bank, an ATM card of the complainant was used and an amount of Rs.46,499 was withdrawn and also taking note of the fact that the petitioner belongs to the State of Jharkhand, this Court does not find it proper to release the applicant on bail at this juncture.

6. Accordingly, the application for grant of bail stands rejected. However, right of the applicant would still remain to revive the same after all the material witnesses are examined.

**Sd/-  
(P. Sam Koshy)  
Judge**