

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5942 of 2018

Lohra, S/o. Mahadev, Aged About 50 Years, R/o. Bhadar, Police Station
Rajpur, Balrampur, District Balrampur Ramanujganj Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Rajpur, District Balrampur
Ramanujganj, Chhattisgarh

---- Respondent

For Applicant : Mr. Suresh Kumar Verma, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.08.2018

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.104 of 2016 registered at Police Station- Rajpur, District Balrampur- Ramanujganj (C.G.) for the offence punishable under Section 450, 302, 34 of I.P.C. The first bail application was dismissed as withdrawn on 20.11.2017 in MCRC No.4712 of 2017.
2. As per the prosecution case, the applicant along-with other co-accused forcefully entered into the house of Sukhanram in the year 2016 and committed murder.
3. Learned counsel for the applicant submits that the applicant is in jail since 2016 and no substantial progress in trial has taken place; therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perusal of the order sheet shows that out of 19 witnesses 8 witnesses have already been examined, which shows that the trial is not exorbitantly delayed. Taking into such fact, I do not find any reason to reconsider the instant second bail application as the first bail application was dismissed as withdrawn on 20.11.2017.
6. Accordingly, the second bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge