

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6281 of 2018

- Sushil Soni (Sona) S/o Rajeev Sona Aged About 23 Years R/o- Ward No.25, Sweeper Colony, House No.42, Behind DMS School, Mahasamund, PS Mahasamund, Civil And Revenue District- Mahasamund, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Mahasamund, District- Mahasamund, Chhattisgarh

---- Respondents

For Applicant
For Respondent

Shri G. I. Sharan, Advocate
Shri P. K. Bhaduri, GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

10/09/2018

1. This is the second bail application preferred by the applicant under Section 439 of CrPC for grant of bail, as he is arrested in connection with Crime No.265/2017, registered at Police Station Mahasamund, District Mahasamund, for the offence punishable under Section 302 of IPC.
2. The first bail application was dismissed on 29.11.2017 in MCRC No.6477/2017 by a detailed order reserving liberty to move again after examination of witnesses Ashalata, Vijaya Das and Padma Das. These witnesses have been examined before the trial Court, however, the dying declaration of the deceased recorded on 05.02.2015 is yet to test the scrutiny of the trial Court during

deposition of the persons to record the dying declaration.
Moreover, there are criminal antecedents of the applicant as reported by the concerned SHO, therefore, I am not inclined to release the applicant on bail.

3. Accordingly, the bail application is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Nirala