

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 496 of 2019**

Kamta Patel S/o Shri Patram Patel Ram Jagat Aged About 24 Years
R/o Village Jondhara, Thana Pachpedi ,civil And Revenue District
Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through The Station House Officer ,police
Station Kasdol ,civil And Revenue District Balodabazar Bhatapara
Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sunil Sahu, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****07/02/2019**

1. This is the second bail application under Section 439 of the CrPC. First bail application was dismissed by this court on 16/11/2018 in MCRC NO. 8461 of 2018 considering the prima facie case.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.459/2018 registered at Police Station Kasdol, District Balodabajar-Bhatapara (C.G.) for the offence punishable under Section 306 of IPC.
3. Case of the prosecution, in brief is that the deceased Savita absconded with applicant. She was living with him. Deceased Savita had intimated by telephone to some family members of her that applicant had concealed this fact that applicant was already married. Due to this fact, he was beating her and quarrel was happening frequently. On 09.09.2018, she poured kerosene oil and set herself afire.
4. Learned counsel for the applicant submits that some important prosecution witnesses have been examined in the trial Court and have turned hostile.
5. On the other hand, counsel for the State opposes the bail application.
6. Becoming hostile of some prosecution witnesses is not a sole ground to enlarged the accused on bail.
7. There is no change in the circumstance of the case on the strength of which the applicant is not entitled for grant of bail. According bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge