

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 744 of 2019**

Gour Singh Nishad S/o Chatur Nishad Aged About 30 Years R/o Village Khadkhadi, Police Station Chilhati , Tehsil Ambagarh Chauki District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through The District Magistrate, Rajnandgaon District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Rajendra Tripathi Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30/01/2019**

1. The present is a bail application. Earlier bail application was rejected after considering the merits of the case. The present bail application has been filed on the ground that the petitioner already remained in custody for a period of more than 14 months and the fact that the trial is being prolonged and in spite notice being served the prosecutrix herself failed to lead evidence and therefore the applicant may be released on bail.
2. However, the State counsel while opposing the bail application submits that the bail application already has been rejected on merits and there is no change in circumstances in the factual matrix of the case except for the period of custody undergone by the applicant.
3. Taking into consideration the entire facts and circumstances of the case this Court is not inclined to grant bail application at this juncture. The Trial Court is directed to ensure that the prosecutrix is examined at the earliest and conclude the trial. The petitioner would

be at liberty to revive his application after the prosecutrix is examined.

Sd/-

(P. Sam Koshy)
Judge

Rohit