

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1768 of 2019**

Krishna Rajput S/o Munna Lal Rajput Aged About 26 Years R/o Village Ghadijhona, Tahsil Rajakheda, District- Dhoulpur, (Rajasthan), Present R/o Sighnpur, P.S. Kosir, District- Raigarh, Chhattisgarh.
--- Petitioner

Versus

State of Chhattisgarh through Station House Officer, Dabhra, District- Janjgir-Champa, Chhattisgarh.
--- Respondent

For the applicant	:	Mr. Ajay Ayachi, Advocate.
For the Respondent	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****08.04.2019**

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 302/2015 registered at Police Station Dabhra, Distt. Janjgir Champa (C.G) for the offences punishable under Sections 341, 395/34, 294 of IPC.
2. The first bail application was dismissed on 18.07.2017.
3. As per the prosecution case, on 11.11.2015 while the victim Suklambar Sarthi was going on his motorcycle, the applicant and others intercepted and abused him and looted mobile and cash of Rs.7000/- for which a report was made.
4. Learned counsel for the applicant submits that the applicant is in jail since 26.11.2015 and the trial has not yet been concluded. He further submits that out of 24 witnesses, 17 have been examined and in the same situation, no further evidence is recorded. He submits that similarly placed

accused Prashant @ Chinkey Bhardwaj has been enlarged on bail by this Court in M.Cr.C.No.1154/2019 on the ground that there was delay in progress of trial and further looking to the period of custody. He further submits that the case of the present applicant being similar to that of above co-accused, he may be enlarged on bail.

5. Learned State Counsel do not dispute the fact that similarly placed accused has been enlarged on bail by this Court.
6. Considering the fact that similarly placed accused has been enlarged on bail by this Court and further looking to the custody of the present applicant as he is stated to be in jail since 26.11.2015 and the delay in progress of trial, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**