

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2278 of 2019**

Madhav Kishanrao Biradar S/o Kishanrao Biradar Aged About 30
Years R/o Telgaon Police Station Balki, District Bidar Karnataka

---- Applicant**Versus**

State Of Chhattisgarh Through Police Thana - Purani Bhilai, Bhilai
District Durg Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Akhand Pratap, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/04/2019**

1. Present is a repeat bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 69/2018 registered at Police Thana Purani Bhilai, District Durg, Chhattisgarh for the offence punishable under Sections 420, 406, 467, 468, 471, 34 of Indian Penal Code. The earlier bail application was withdrawn with liberty to revive after the examination of the complainant.
2. The present repeat application has been filed only on the ground that the complainant till date has not been examined, though more than six months have passed from the date of withdrawal of the previous bail application.
3. Once when this Court has already taken a decision that the liberty is there with the applicant to revive his application only after the complainant is examined, it would be difficult for this Court again to re-appreciate the fact without the evidence of the complainant.

4. The present bail application accordingly stands rejected giving liberty to the applicant to revive only after the complainant is examined.
5. Meanwhile, the trial Court is also directed to ensure that the trial is concluded at the earliest.

Sd/-
(P. Sam Koshy)
Judge

Ved