

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2890 of 2019**

1. Pawan Tomar, S/o Dheerpal Tomar, Aged About 26 Years, R/o Village: Samali, Police Station: Bhojpur, District Gajiyabad, Uttar Pradesh

---- Applicant**Versus**

1. State Of Chhattisgarh Through The Police Station Borai, Dhamtari Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vaibhav Shukla, Advocate
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/08/2019**

1. The present is a repeat bail application. Earlier bail application was dismissed as withdrawn on 31.10.2018 with liberty to revive after some time, in case, if the trial is not concluded.
2. The ground on which the repeat bail application has been filed is that, three of the material witnesses who have been examined have not supported the case of prosecution and have turned hostile and therefore, he be granted bail.
3. Opposing the bail application, the State counsel submits that out of 11 witnesses cited by the prosecution, only 3 witnesses have been examined by now and they were in possession of 55 litre of contraband seized from the persons and all the persons were moving in a single vehicle, ie. Scorpio. Hence, the present applicant is not entitled for grant of bail at this juncture.

4. Considering the facts of the case, particularly the quantity of contraband seized from the applicant and the fact he is in jail since 01.08.2018, this Court is not inclined to grant bail at this juncture. However, the prosecution is directed to ensure that the trial is concluded at the earliest and Trial Court is also directed to ensure that the witnesses concerned are examined without any unnecessary adjournments.
5. With the aforesaid observation, the present bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge