

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6637 of 2018**

Firoz Ahmad S/o Late Aas Mohammad Aged About 37 Years R/o- Saorabh Vihar, Jaitpur, District- Badarpur, Delhi., Delhi.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station- Moudha Para, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 6441 Of 2018**

Martin Yobanna S/o Waolisa Aged About 38 Years Present Address Sath Phuta Road, Mahavi Enclave , New Delhi- 62., District : New Delhi, Delhi.

---- Applicant**Vs**

State Of Chhattisgarh Through Police Station Moudhapara, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 6442 Of 2018**

Fidelis Harris @ Drey S/o Ekechu Edi Aged About 36 Years Present Address Dewali Road, Khanpur New Delhi -62, Delhi.

---- Applicant**Vs**

State Of Chhattisgarh Through - Police Station - Moudhapara Raipur District- Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 6444 Of 2018**

Rapuluchukwu Evaristus @ Ben S/o Nwabuje Aged About 37 Years Present Address Rajpur Khurd Chhattarpur, Police Station Nebsarai, New Delhi- 62, District : New Delhi, Delhi.

---- Applicant**Vs**

State Of Chhattisgarh Through Police Station Moudhapara, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sanjay Agrawal, Shri Rajeev Lochan and Smt. Meena Shastri, Advocates.
For the Respondent/State	:	Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

05.03.2018

Heard.

1. All these applications are being decided by this common order as they arise from the similar incident. These are the first and second bail applications of the applicants. The first bail application of Firoz Ahmad in M.Cr.C. No. 6637 of 2018 has been dismissed on merits by this Court in M.Cr.C. No. 257 of 2018 by order dated 13.3.2018. The applicants have been arrested in connection with Crime No.156 of 2017, registered at Police Station – Moudhapara, District – Raipur, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471, 473 and 120B of the Indian Penal Code and Section 66(D) of the Information Technology Act, 2000.

2. Learned counsel for the applicants submit that these applications have been brought only on the ground that the trial is getting delayed. It is also submitted that only one witness is remaining to be examined by the prosecution who is not turning up for recording his evidence. Hence, it is prayed that the applicants in all these cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that the earlier application of Firoz Ahmad in M.Cr.C. No. 6637 of 2018 has been rejected on merits. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. On the basis of the statement made by counsel for the applicants in the arguments, it is very much clear that only one witness is remaining to be examined. Copy of the order-sheets have not been produced before this Court to establish the reason for non-appearance of the last witness to be examined. On verification, it has been found that the case is pending only for examination of one witness therefore, in such a case, the concerned Court may be directed to expedite the trial. Hence, for these reasons, I do not feel inclined to allow these applications.

6. Accordingly, the first and second bail applications filed under Section 439 of the Cr.P.C. are rejected. However, the trial Court is directed to expedite the trial and conclude the same at the earliest, preferably, as far as practicable within a period of three months from the date of receipt of a copy of this order.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 609 of 2019

- Firoz Ahmad S/o Late Aas Mohammad Aged About 37 Years R/o- Saorabh Vihar, Jaitpur, District- Badarpur, Delhi., District : New Delhi, Delhi

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Moudha Para, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

Ms. Smita Jha, Panel Lawyer for the State.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-03-2019

1. Office reference has been made that in the order passed by this Court in M.Cr.C. No.6637 of 2018 along with other connected matters, i.e., M.Cr.C. No.6441 of 2018, M.Cr.C. No.6442 of 2018 and M.Cr.C. No.6444 of 2018 the date of passing of the order has been erroneously mentioned as 05.03.2018 which should have been actually 05.03.2019. Therefore, it is prayed that correction be ordered.

2. After perusing the reference and other documents present in the record, the prayer made by the Registry is allowed. It is ordered that date of passing the order in M.Cr.C. No.6637 of 2018 along with other connected matters, i.e., M.Cr.C. No.6441 of 2018, M.Cr.C. No.6442 of 2018 and M.Cr.C. No.6444 of 2018 shall be hereinafter read as 05.03.2019.

3. The CRMP stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge