

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.7706 of 2018**

- Raj Kishore @ Kumar @ Rishikesh Kumar S/o Mahendra Prasad Yadav
Aged About 20 Years R/o Simili Shadhar Naya Toli, Postal Mahadev Mill,
Ward No. 71 Patna City, Police Station Malasalami, Distrci -Patna Bihar.,
District : Patna, Bihar

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station
Rajpur District Balrampur Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Rajat Agrawal, Advocate
For Respondent/State	:	Shri S. K. Mishra, PL

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/04/2019**

Heard.

1. This is a repeat bail application. Earlier bail applications were rejected by this Court. This application for grant of bail is now being moved by the applicant mainly on the ground of delay in trial as also on the ground that he has remained in jail since last more than two years.
2. It is stated by learned counsel for the applicant at the bar that till date, only two prosecution witnesses have been examined and that the trial is not likely to be concluded early and there are as many as 29 witnesses of the prosecution. It is also stated that presence of the applicant may be secured by imposing appropriate conditions.
3. Learned counsel for the State/non-applicant opposes the bail application by submitting that earlier bail applications of the applicant were rejected taking into consideration that there is an allegation of recovery of about 73 KG of ganga in the vehicle, in which, the applicant was found travelling along with other co-accused.

4. Earlier, this Court had rejected the bail applications of the applicant, now, at this stage, it is found that the applicant has remained in jail since last more than two years and the trial is proceeding with snails pace so much so that only two witnesses have been examined.

5. In view of the statement made by learned counsel for the applicant at the bar that only two witnesses have been examined and the delay in trial is not attributable to the applicant as he is in jail and taking into consideration the long pre-trial detention and that the presence of the applicant may be secured by imposing appropriate and onerous conditions, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with two local sureties of the like amount to the satisfaction of the trial Court on the condition that he shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E