

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8151/2019**

Gajanand @ Gajja Nishad Son of Shyamlal Nishad, aged about 32 years, R/o. Rajendra Nagar, Police Station Civil Lines, Bilaspur, Distt. Bilaspur (CG)

VERSUS

State of Chhattisgarh through Distt. Magistrate, Bilaspur, Distt. Bilaspur (CG)

For applicant	Mr. Praveen Shrivastava, Adv.
For Respondent/State	Mr. D.C. Verma, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19-12-2019**

1. This is 2nd bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court. His 1st bail application MCRC No. 8866/2018 was rejected by this Court vide order dated 4-1-2019 considering prima facie case against the applicant.
2. The applicant has been arrested in connection with Crime No. 291/2018 registered in police station Civil Lines, Bilaspur (CG) for offence punishable under Section 294, 506, 384 of IPC.
3. Prosecution story in brief is that on 6-4-2018 the applicant had threatened to kill the complainant Animesh Kumar and demanded money by telephone.
4. Counsel for the applicant submits that the applicant is in jail since more than 1 and ½ years. Thus, he may be released on bail.
5. On the other hand, counsel for the State submits that five other criminal cases under IPC have been registered against the applicant.
6. It is true that period of detention of the accused and delay in trial are the material factors for disposal of bail application of accused but it is also equally true that seriousness of the offence and impact of grant of bail to the accused on society are more important and material factors for disposal of the bail application filed by the accused.

7. Looking to the above facts and circumstances of the case, looking to the fact that five other criminal cases have been registered against the applicant, this Court finds that it is not a fit case where the applicant may be released on bail in second round of litigation.

8. Consequently, this 2nd bail application is rejected.

9. However the trial Court is directed to expedite the trial and dispose of the same as early as possible.

10. A copy of this order be sent to the trial Court for compliance.

Sd/-
(Sharad Kumar Gupta)
Judge