

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1407 of 2020**

Ranjit Singh Rajput S/o Janeshwar Singh Aged About 20 Years R/o
Madhubana, Police Station Pipra, District Palamu (Jharkhand),
District : Palamu, Jharkhand

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri D.K. Vishwakarma, Advocate
For the State	:	Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**02/03/2020**

1. This is the third bail application under Section 439 of the CrPC. Earlier his first bail application was rejected by this Court vide order dated 04/12/2018 passed in MCRC No. 8221/2018 considering *prima facie* case against him. His second bail application was dismissed for want of prosecution on 03/05/2019 in MCRC No.2630/2019.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.44/2018 registered at Police Station Rajpur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 302, 397 of IPC.
3. Case of the prosecution, in brief is that on 20.3.2018 deceased Bhukhan Lal Yadav who was the driver of Truck bearing registration number CG-06-GK-9997 and helper-applicant had gone to Mahant-II Mine Balrampur to load the coal. Thereafter, owner of the truck tried to call phone to the deceased and applicant but the mobiles of both were switched off. Thereafter, the dead body of the deceased was found in the cabin of the said truck in the mine. On the memorandum of the applicant one mobile was seized from him.
4. Counsel for the applicant submitted that applicant is in jail since two years. He further submitted that trial Court had given number of dates

for the prosecution evidence but witnesses are not coming in the trial Court. He drew my attention on Annexure A/3.

5. On the other hand, counsel for the State opposes the bail application. He further submitted that no criminal antecedents has been reported against the applicant in the police case diary.
6. This is true that detention period of the accused and delay in trial are material factors for disposal of the bail application filed by the accused. But equally it is also true that seriousness of the offence and impact of granting bail to the accused on society are more material and important factors for disposal of the bail application filed by the accused.
7. Looking to the above mentioned facts and circumstances of the case, this Court finds that this is not a fit case where the applicant may be released on bail in third round of litigation. Consequently his third bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible. Applicant may also pursue the trial Court to compel the attendance of the witnesses.

Sd/-

(Sharad Kumar Gupta)
Judge