

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.2717 of 2020

Abhishek @ Bittu Nagwanshi S/o Shrawan Kumar Nagwanshi Aged
About 25 Years R/o Sector No. 1, Shankar Nagar, Infront Of Child
Garden Police Station Civil Line Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Mandir Hasaud, District Raipur, Chhattisgarh **---- Respondent**

For Applicant	:	Mr. Y.C. Sharma, Advocate.
For Respondent/State	:	Ms. Fouzia Mirza, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/06/2020

Heard.

1. This is second application for grant of bail.
2. First application was rejected by this Court on 15.07.2019.
3. There is an application for withdrawal of power by Mr. Rajeev Shrivastava, Advocate.
4. The application is allowed and learned counsel is permitted to withdraw his power.
5. Mr. Y.C. Sharma, Advocate enters appearance.
6. The main ground for moving second application for grant of bail is that the trial is being delayed. The accused is in jail since 19.03.2018. Learned counsel for the applicant further argued that the examination of the eyewitness was done in part and thereafter, his examination has not taken place and in present challenging times, there is no possibility of early conclusion of trial. Therefore, the applicant may be granted bail only on the ground of delay in conclusion of trial.

7. Learned counsel for the State submits that present is a case of heinous offence and earlier bail application was rejected on merits.

8. Taking into consideration the submission of learned counsel for the parties, particularly, taking into consideration that present is a case of allegation of commission of offence under Section 302 of IPC and the application was rejected on merits, only on the ground of delay, at this stage, I am not inclined to grant bail. The application is rejected. However, the applicant would be at liberty to renew application after three months.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E

Rekha