

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3975 of 2020**

1. Ku. Shitla Kaushik D/o Jawahar Kaushik, aged about 19 years.
2. Chameli Bai Kaushik W/o Jawahar Kaushik, aged about 58 years,

Both R/o. Mannadol, Tifra, Sirgitti, Police Station Sirgitti, Bilaspur, Tehsil & District Bilaspur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through the Police Station Civil Lines, District Bilaspur Chhattisgarh.

---- Respondent

For Applicants.	:	Mr. S.S. Baghel, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.08.2020**

1. The applicants have filed their **Second Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 448/2019 registered at Police Station : Civil Lines, Bilaspur (C.G.) for the offence punishable under Sections 302/34, 201/34 & 120-B of the I.P.C.
2. First bail application of the applicants was dismissed as withdrawn on 28.01.2020 passed in MCRC No. 8068/2019 and a liberty was given to renew the same after examination of memorandum and seizure witnesses.
3. As per the prosecution case, the allegation against the

present applicants is that they have hatched a conspiracy and murdered the deceased namely Dinesh Shrivastava.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that their first bail application was dismissed as withdrawn with liberty to file the same after examination of memorandum and seizure witnesses but, more than six months have been passed and no witness has been examined yet before the trial Court due to the pandemic disease COVID -19 and also there is no possibility of expeditious trial, furthermore, they are in jail since 11.07.2019, and they ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they may be released on bail.
5. On the other hand, State counsel strongly opposes the bail application submitting that looking to the nature and gravity of the crime they may not be granted bail.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, nature and gravity of the case, at this stage, I am not inclined to release them on bail.
8. Accordingly, their second bail application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**