

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4956 of 2020**

- Chaman Lal Jangde S/o Bisahram jangde aged about 36 years, R/o Ward No. 12, Amodi, P.S. Arang, District-Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Tumgaon, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vinod Kumar Tekam, Adv.
For Respondent/State	: Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

1. The accused/applicant has moved this **second bail** application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 224/2018 registered at Police Station - Tumgaon, Civil and Revenue District-Mahasamund (C.G.) for the offence punishable under Section 302 of the IPC.
2. The first bail application of the applicant was dismissed by this Court on 18.11.2019 in MCRC No. 5468/2019.
3. As per the prosecution case, on 23.11.2018, informant namely Manohar Singh informed the police that he has found a 38-40 year old person's dead body at Mahanadi River, Bairag, Achola. After completion of investigation the dead body was identified as Keshav Das Manikpur and the applicant has been arrested.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that this is a concocted story and the applicant has been implicated in the crime on the

basis of last seen theory but none of the witnesses have seen the deceased with the applicant. He also submits that there is a total 23 witnesses, 10 witnesses have been examined before the learned trial Court and they have not supported the case of the prosecution and other witnesses has not examined till today and the applicant is in jail since 24.11.2018, the charge-sheet has been filed and, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

5. On the other hand, learned counsel for the State opposing the bail application submits that the prosecution witnesses namely Dharmendra Yadav (PW-06) and Pappu Kumar Patel (PW-07) have deposed against the applicant which established the involvement of the applicant in the crime in question. Thus, it is not a fit case where applicant may be released on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible, preferably within a period of 45 days from the date of receipt of copy of this order.

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