

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 971 of 2019

- Bhakamchand Thakur, S/o Dhaneshwar Thakur, Aged about 30 years, R/o Village Dharmabeda, PS- Mardum, District Bastar Chhattisgarh. ----- **Appellant**

Versus

- State of Chhattisgarh, through- Police Station Mardapal District Kondagaon, Chhattisgarh. ----- **Respondent**

17/07/2020	Shri Vikash A. Shrivastava, Counsel for the appellant. Shri Ravish Verma, G. A. for the State. Heard. This appeal is directed against the order dated 27.04.2019 by which appellant's application for grant of bail has been rejected. Learned counsel for the appellant would submit that as far as present appellant is concerned, he has been falsely implicated. The alleged prosecution case that from the vehicle driven by the appellant, accessories for assembly of explosive substance and bombs were recovered is a complete false story. Earlier bail application was rejected, taking into consideration this aspect but now the witness of seizure has been examined and he has not supported the case of the prosecution. He would also submit that one of the reason for rejection of the application earlier was that the wife of the appellant has also given diary statement regarding involvement whereas no such statement has been annexed along with the charge-sheet nor she is a prosecution witness. State Counsel would submit that the appellant is facing trial in connection with grave offences and in the case, number of witnesses are yet to be examined including Investigating Officer

who effected seizure of explosive preparation/bombs preparation articles from the present appellant.

We have taken into consideration submission of learned counsel for the parties. The appellant has been charged for commission of grave offences. Earlier, he had moved an application for grant of bail before the trial Court which was rejected. Against that, an appeal was preferred and that appeal was also dismissed by us on 07.02.2019 in Cr.A. No. 1865 of 2018.

At the time of rejecting the application, this Court had taken some of the broad aspects of the matter. However, the trial is still going on and many witnesses including Investigating Officer are yet to be examined. Therefore, in these circumstances, we are not inclined to interfere with the order rejecting bail application. Appeal is, therefore, dismissed.

At the last, learned counsel for the appellant submits that at least the trial may be directed to be concluded expeditiously.

We direct the trial Court to complete the trial as early as possible without granting unnecessary adjournment to any of the parties.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge