

HIGH COURT of CHHATTISGARH, BILASPUR

MCRC No. 6949 of 2020

- Amzad Khan, s/o Noor Khan aged about 34 years, r/o Sattar Kholi, Ward No.7, Chakarbhatha, Police Station Chakarbhatha, District Bilaspur CG

---- Applicant (In Jail)

Versus

- State of Chhattisgarh Through Station House Officer, Police Station: Chakarbhatha, District : Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri Nitesh Shrivastava, Advocate
For Respondent/State	: Shri Sidharth Dubey, Dy GA

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

09.12.2020

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No.217 of 2018 registered at Police Station Chakarbhatha, District Bilaspur CG for the offence punishable under Section 302 of IPC.
2. Learned counsel for the applicant submits that this application has been filed on the ground that 13 witnesses have already been examined by the learned trial Court, who have not supported the case of the prosecution and only evidence of the Investigating Officer is remained for examination before the trial Court. He submits that as there is no evidence for commission of offence against the present applicant, he may be released on bail. Applicant is in jail since last more than two years.
3. On the other hand, Shri Sidharth Dubey, learned State counsel opposing the submission of learned counsel for the applicant submits that the allegation against the applicant is of commission of murder of his wife, son and daughter hence not entitled for bail. 13 Witnesses have already been examined.

4. I have heard learned counsel for the parties and also perused the case-diary.

5. Taking into consideration that out of 19 enlisted witnesses, 13 witnesses have already been examined by the trial Court as per submission of the applicant's counsel and the statement of only Investigating Officer is left to be recorded, I do not find it a fit case to enlarge the applicant on bail.

6. However, trial Court is directed to expedite the trial and it may be concluded expeditiously/preferably within four months from the date of production of copy of this order.

7. Accordingly, MCRC-6949 of 2020 is dismissed as above.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE