

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1480 of 2021**

- Filmon Minj S/o Agastu Minj, Aged About 55 Years R/o Village- S.E.C.L.Miners Colony, Qyarter No. 09, Police Station Vishrampur, Tahsil And District- Surajpur, Chhattisgarh, District : Surajpur, Chhattisgarh

---- Petitioner

Versus

- The State Of Chhattisgarh Through Police Station Vishrampur District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Shri A. K. Prasad, Advocate
For Respondent/State	:	Shri Ravish Verma, GA

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/06/2021**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.173/2019 registered at Police Station Vishrampur, District Surajpur for the offence punishable under Section 302, 201 of IPC. The applicant was arrested on 08-08-2019.
2. This is repeat bail application. Earlier bail application was dismissed on merits.
3. Learned counsel for the applicant would argue that this bail application has been filed mainly on the ground that most important prosecution witnesses including witnesses of last seen have been examined and that the applicant is in jail since almost two years and trial has not been concluded till date because of pandemic situation. He would next submit that number of prosecution witnesses have been examined, but no material evidence has come against the applicant and whatever has come is very doubtful, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned counsel for the State/non-applicant opposes the bail application by submitting that though number of witnesses have been examined, but, there are many other prosecution witnesses, who are yet to be

examined and taking into consideration the seriousness of the offence of murder, the bail application of the applicant may be rejected.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation, on which basis, earlier bail application has been rejected and that the trial is at advance stage, I am not inclined to grant bail to the applicant.

6. However, looking to the pre-trial detention of the applicant of almost two years, the trial Court is directed to expedite the trial and conclude the same on priority basis preferably within a period of four months, unless there is any other trial of any accused is pending in the same Court with longer period of detention. The trial Court is directed to conclude the trial and report shall be submitted to this Court.

7. With the aforesaid observations, the bail application is rejected.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge