

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3601 of 2021

- Mohammad Ishrar @ Raja S/o Mohammad Tajuddin Aged About 20 Years R/o Ward No. 10, Ramanujganj, Police Station Ramanujganj District Balrampur-Ramanujganj Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj District Balrampur-Ramanujganj Chhattisgarh

---- Respondent

For Applicant : Shri Amarnath Pandey, Advocate
For Respondent/State : Shri Dinesh R.K.Tiwari, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board By Virtual Hearing

26/08/2021

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 110/2018 registered at police station Ramanujganj, district Balrampur-Ramanujganj (CG) for the offence punishable under Sections 363, 302, 364(A) & 120-B of the IPC.

His earlier bail application was dismissed as withdrawn with liberty to renew the same after examination of material witnesses.

Contention of the counsel for the applicant is that there are no eyewitnesses to the incident. He submits that all the material witnesses have been examined and they have not stated anything against the

appellant. He also submits that the trial is likely to take sometime for its final disposal, therefore he may be released on bail.

On the other hand, counsel for the State opposes the application and submits that the witnesses in their cross examination have stated that the applicant was also involved in the crime in question.

Having heard counsel for the parties, considered the totality of the fact, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge