

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3977 of 2021**

- Amrit Singh, S/o Ramdhari Singh, aged about 51 Years, R/o Mahavirganj, Police Chowki Vijaynagar, Tahsil and Police Station Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.

----Applicant

Versus

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

----Non-applicant

For Applicant	Shri Malay Shrivastava, Advocate.
For State	Shri Adil Minhaj, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

05/08/2021

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.185/2020 registered at Police Station Ramanujganj, District Balrampur- Ramanujganj, C.G. for the offence punishable under Section 304 of Indian Penal Code and Section 138 of the Electricity Act. The earlier bail application i.e. MCRC No.9296 of 2020 was dismissed on merits by this Court vide order dated 01.02.2021.
3. Case of the prosecution is that complainant has lodged the

report that on 01.10.2020, about about 8:00 am, when his brother Jirjodhan Kodaku had gone to kill birds in the corn filed, he died due to electrocution made by the applicant in his field. Based on this, an offence has been registered against the applicant and he was arrested.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant had no intention to kill anybody and due to negligence, the deceased came into contact with the electric wire and died. The applicant is in jail since 02.10.2020, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, the applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the fact that the earlier bail application of the applicant has already been rejected on merits, there is no change in the circumstances except that charge sheet has been filed and charges have been framed on 30.01.2021, the trial has already commenced, I do not find any reason to allow this bail application. Accordingly, the bail application is rejected. However, considering the detention period of the applicant,

the trial Court is directed to expedite the trial and conclude the same as early as possible. If the trial is not concluded within a period of 9 months from today, the applicant shall be at liberty to repeat his prayer for bail.

Sd/-
Gautam Chourdiya
Judge

Akhilesh