

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4885 of 2021

Amit Das S/o Shri Adhir Das Aged About 30 Years R/o Near Om Kirana Stores, Gandhinagar, Gudhiyari, Police Station Gudhiyari, District Raipur Chhattisgarh
----**Applicant**

Versus

State Of Chhattisgarh Through Police Station Civil Lines, District Raipur Chhattisgarh
---- **Respondent**

For Applicant	:	Shri Abhishek Vinod Deshmukh, Advocate
For Respondent/State	:	Shri Ashutosh Mishra, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/09/2021

Heard.

1. Earlier bail application was considered and rejected by this Court on merits vide order dated 12.02.2021. Repeat application for grant of bail has been filed by the present applicant mainly on the ground of delay in trial.
2. Learned counsel for the applicant would submit that applicant was arrested way back on 08.10.2020 but trial has not proceeded. Learned counsel for the applicant has placed on record the order-sheet and submits that even the charges have not been framed mainly because those co-accused who have been granted bail are not appearing before the trial Court and therefore, the trial is being delayed. Therefore, only on the ground of delay in trial, applicant may be granted bail.
3. On the other hand, learned State counsel opposes the prayer and submits that application of the present applicant along with other accused rejected mainly on the ground that present applicant is the person who is involved and impersonated in operation of Bank account and stipend of public fund.
4. At this stage, though applicant is in jail since 08.10.2020, taking into consideration the nature of allegation, I am not inclined to grant bail to the applicant. Therefore, the bail application is rejected. However, the applicant may

repeat bail application in case there is no material progress in trial in four months and it will be open for the applicant to revive the application only on the ground of delay.

5. Before parting with the case, this Court finds that from the order-sheet of the trial Court that the most of the co-accused, who have been granted bail are not appearing before the Trial Court, due to which, trial is being delayed. The trial Court is directed to proceed with the trial without granting unnecessary adjournment to any of the co-accused, who have been granted bail and if they are not appearing, coercive process should be taken against them to secure their presence. A copy of this order be sent to the concerned trial Court.

Sd/-
(Manindra Mohan Shrivastava)
Judge