

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No.7410 of 2020

Hithlesh @ Mithlesh Vs. State of Chhattisgarh & Others

24.02.2021	Shri Sushil Dubey, Advocate for the applicant. Ms. Akanksha Jain, Dy. Govt. Advocate for the State. This is fifth bail application seeking for grant of bail to the Applicant who is in jail since 29.06.2017 in connection with Crime No. 264 of 2017 registered at Police Station Surajpur District Surguja (CG) for the offence punishable under Section 307 IPC and Section 25/27 of Arms Act. The bail application of the applicant has been rejected on merits on three earlier occasions and the previous one was filed on the ground of delay in trial which was not accepted by this court and the court had directed the prosecution to conclude the trial within a stipulated period. Today when the matter is taken up for hearing, the counsel for the State submits that on account of Lock down the prosecution witnesses could not be examined for a considerable period of time and that was the reason for the delay that occurred and in the instant case she has instructions to state that except one, all other prosecution witnesses have been examined. Given the submissions by the counsel for the State that only one witness is left to be examined on behalf of the prosecution, this court is of the opinion that present is not a fit case for grant of bail at this juncture since trial itself is on its fag end, however, it is directed that the prosecution should ensure that all steps and endeavors be made to ensure that the lone prosecution witness is examined as far as possible on the next date of hearing fixed by the trial court. The bail application accordingly stands rejected. Sd/- (P. Sam Koshy) Judge