

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 9198 of 2021**

Smt. Sarita Sonwani Alias Rinki W/o Late Shri Ashwin Sonwani
 Aged About 35 Years R/o Shitla Mandir Road, Bacheli, Police
 Station- Bacheli, District- Dantewada, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station- Bacheli,
 District- Dantewada, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Madhunisha Singh, Advocate
For Respondent/State	:	Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16/12/2021**

This is the second bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 08.12.2020 in connection with Crime No. 80/2019 registered at Police Station- Bacheli, District Dantewada (CG) for the offence punishable under Sections 302, 201 of IPC.

2. The earlier bail application stood rejected vide order dated 19.05.2021 in MCRC No.1090/2021. On 19.05.2021 i.e. just about 7 months back this Court had taken a decision that considering the facts and circumstances of the case particularly the gravity of offence which is an offence under Section 302, 120 of IPC and also considering the recovery of weapon at the instance of the present applicant, no strong case for grant of bail was made out.

3. The present repeat application has been filed on the ground that a

couple of witnesses who have been examined before the Court below have not supported the case of prosecution and have turned hostile. The fact that these are the subsequent developments and the evidence which has come before the trial Court is one which would be considered by the Trial Court while deciding the matter on its own merits.

4. Considering the earlier order passed by this Court on 19.05.2021 and the gravity of offence and the fact that the applicant is in custody only since 08.12.2020, this Court does not find any strong case made out for grant of bail at this juncture. The bail application accordingly stands rejected.

5. However, it is ordered that the trial Court shall ensure that the trial is proceeded and concluded at the earliest.

Sd/-

(P. Sam Koshy)
JUDGE