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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9228 of 2021

- Neeraj Singh Agariya S/o Sonsai Agariya, Aged About 19 Years, R/o Village Saragtola, P.S. Ramnagar, District Anuppur (M.P.)

---- Applicant

Versus

- State Of Chhattisgarh, Through S.H.O., Police Station Pasan, District Korba Chhattisgarh.

----Non-applicant

For Applicant – Shri Abhishek Pandey, Advocate.
For Non-applicant/State – Shri Sudeep Verma, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-12-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01-10-2019 in connection with Crime No.97/2019 registered at Police Station – Pasan, District Korba, Chhattisgarh for the offence under Section 363, 366(A), 376(2)(n), 34 of the IPC and Section 6 of POCSO Act.

2. It is submitted on behalf of the applicant, this is second bail application filed by the applicant. The earlier bail application, MCRC No.6493 of 2020 by this applicant has been dismissed on merits by order dated 09-10-2020. It is submitted that the applicant is before this Court only on the ground of delay in trial. As he is in jail since 01-10-2019 and the trial against him is still pending and not concluded, hence, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is the main accused and there is clear evidence against him. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the documents.

5. Considering that the earlier bail application of this applicant has been rejected on merits, although there is some delay in trial, but looking to the evidence present against this applicant and also the previous order, I do not feel inclined to allow this application.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby rejected. However, learned trial Court is directed to expedite the trial and conclude the same at the earliest preferably within a period of six months.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Aadil