
(2019) 08 CHH CK 0096

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 4999 Of 2019

Sukhdev Bachhad

APPELLANT

Vs

State Of Chhattisgarh, through: Police Station Pakhanjoor

RESPONDENT

Date of Decision : 16-08-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 420, 467, 468, 471

Citation : (2019) 08 CHH CK 0096

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : Rohitasva Singh, Ayaz Naved

Final Decision : Dismissed

Judgement

P. Sam Koshy, J

1. The present is an application filed under Section 439 of CrPC for grant of bail to the Applicant who is in jail since 28.1.2018 in connection with Crime No. 112/2018 registered at Police Station- Pakhanjoor, District- Uttar Bastar Kanker, for the offence punishable under Sections 420, 467, 468 & 471 of IPC.

2. This is the third bail application. The earlier two bail applications stood rejected on 12.7.2018 and 7.12.2018 respectively.

3. Ground of challenge in the present application is that the Applicant is in jail since 28.1.2018 as such he has been in jail for more than 1½ year and that the Applicant is being unnecessarily put to confinement as the trial is going on in a slow pace. Further contention of the Applicant is that out of 24 witnesses only 9 have been examined till now and that this Court on previous occasion had directed the Trial Court to conclude the trial as expeditiously as possible, and for all these reasons the Applicant may be enlarged on bail.

4. Having heard the contentions put forth and taking into consideration the

nature of allegation levelled against the Applicant and the contents of the two orders passed on earlier occasion, this Court is of the opinion that no strong case as such has been made by the Applicant for allowing the bail application.

5. However, it is revealed that even after the disposal of the previous two bail applications there are 7-8 witnesses who have already been examined, which shows that the case is progressing.

6. Considering the total facts and circumstances of the case particularly the period of custody undergone by the Applicant, it is directed that the Trial Court should ensure that the trial is concluded at the earliest, failing which the Applicant would be at liberty to revive his bail application after six months from today.

7. The bail application accordingly stands rejected with the aforesaid liberty.