

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 452 of 2015

Smt. Neelu Sidar D/o Shri Chandiprasad Sidar, Aged about 29 years,
R/o Adarsh Nagar, Basna, Police Station & Post – Basna, Dist.
Mahasamund (C.G.)

---- Petitioner

Versus

State of Chhattisgarh Through Station House Officer, Police Station –
Basna, Dist. Mahasamund (C.G.)

---- Respondent

For Applicant	:	Shri Rishi Rahul Soni, Advocate
For Respondent State	:	Shri Chandresh Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

03/07/2015

This is the second application filed u/s 438 of Cr.P.C. for grant of anticipatory bail to the applicant apprehending his arrest in connection with Crime No.232/2014 registered at P.S. Basna, Mahasamund for the offence punishable under Sections 420, 467, 468 & 471 of IPC.

The earlier anticipatory bail application of the applicant was rejected on merit by this Court vide order dated 09.09.2014 in M.Cr.C. (A) No. 732/2014.

While rejecting the earlier anticipatory bail application, this Court had observed that in the event the applicant surrenders before the concerned Court and moves appropriate application for grant of regular bail, the same, if possible, shall be decided on the same day. However, the applicant had again on the same set of facts moved this second application under Section 438 Cr.P.C. without any change of facts and circumstances of the case and tried to address this Court on the merits of the case which this Court has already rejected.

Considering the total facts and circumstances of the case and the nature of charge levelled against the applicant, this Court is not inclined to grant the advantage of anticipatory bail to the applicant.

Accordingly, the instant application filed under Section 438 Cr.P.C. is rejected.

Needless to mention that if the Applicant surrenders before the concerned Court below and moves appropriate application for grant of regular bail, the same shall be decided by the said Court, if possible, on the same day on its own merits.

Sd/-
(P. Sam Koshy)
Judge

Bhola