

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2993 of 2016**

Amar Das Mahant S/o Kanak Das Aged About 46 Years R/o Shankar Vihar Colony, Janjgir, H. No. 07, P.S. Janjgir, Civil And Rev. District - Janjgir - Champa Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through Police Station Balco Nagar, District Korba Chhattisgarh.

---- Respondent

For Applicant:

Mr. A.K. Prasad, Advocate

For Respondent-State:

Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13.05.2016**

1. This is fifth bail application filed under Section 439 of Cr.P.C. for grant of bail to the Applicant who is in jail since 25.06.2014 in connection with Crime No. 17/2014 registered at Police Station – Balco Nagar, District Korba (C.G.) for the offence punishable under Section 420, 34, 468 and 471 of I.P.C.

2. The earlier four bail applications filed by the Applicant were rejected on 02.09.2014, 16.10.2014, 11.02.2015 and 01.05.2015 respectively. The Applicant has now moved fifth bail application, on the earlier ground that there is delay in the conclusion of the trial as till now only 7 out of 12 witnesses have been examined, therefore he prays for release of the Applicant on bail.

3. Learned Counsel for the State however opposes the said application on the ground that there is no change in the circumstances with the facts of the present case, while on the same ground earlier bail applications were rejected. While hearing the earlier bail application, it was contended that only 2 out of 12 witnesses have been examined however the admitted position as of date is that 7 out of 12 witnesses have been examined, therefore the Applicant does not deserve to be released on bail.

4. Considering the total facts and circumstances of the case, particularly the fact that earlier the matter has been considered by this Court on four occasions and was not inclined to release the Applicant on bail and there is no extra ordinary +

change in circumstances at present to release the Applicant on bail.

5. Accordingly, the present bail application stands dismissed.

Sd/-
(P. Sam Koshy)
JUDGE