

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4763 of 2016**

Nitin Kumar @ Rohit Manhar, S/o. Shri Guharam Manhar, aged about 31 years, R/o. Village- Taaldevari, Police Station- Birra, Civil and Revenue District Janjgir Champa (C.G.)

---- Applicant**Versus**

State of Chhattisgarh Through : District Magistrate/Station House Officer, Police Station Jaijaipur, District Janjgir Champa (C.G.)

---- Respondent

For Applicant	:-	Mr. Dharmesh Shrivastava, Advocate
For Respondent/ State	:-	Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/08/2016**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 197/2015 registered at Police Station- Jaijaipur, District Janjgir Champa (C.G.) for the offence punishable under Sections 489 (b) (c), 34 of Indian Penal Code and section 25 of the Arms Act. The first bail application of the applicant was dismissed on 09.12.2015 in M.Cr.C. No. 6759 of 2015.
2. As per the prosecution case, the applicant along with co-accused went to a shop and tried to use fake currency note. On being suspicion the matter was reported by the owner of the shop to the police and thereafter the applicant was apprehended.

3. Counsel for the applicant submits that the complainant has turned hostile and he has not supported the case of the prosecution, therefore, the applicant may be enlarged on bail.
4. Perused the order. The earlier dismissal was on the ground that the fake notes were seized from the applicant along with laptop and cartridge, therefore, considering the fact that the applicant tried to circulate fake notes, therefore, no change of circumstances, appears to have been taken place to reconsider the bail again. Therefore, in view of this, I am not inclined to reconsider the second bail petition.
5. Accordingly, the second bail application is dismissed at the motion stage.

Sd/-

(Goutam Bhaduri)
Judge