

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4885 of 2016**

Ishwar Patel, S/o. of Shri Harishankar Patel, aged about 39 years,
 R/o. Village Arjuni, Police Station and Tahsil Pithora, District
 Mahasamund (C.G.)

---- Applicant**Versus**

State of Chhattisgarh Through : Special Police Station- A.J.K.
 Mahasamund, District Mahasamund (C.G.)

---- Respondent

For Applicant	:-	Mr. Roop Naik, Advocate
For Respondent/ State	:-	Mr. Neeraj Sharma, Dy. G.A

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/08/2016**

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. 227/2015 registered at Special Police Station- A.J.K. Mahasamund District Mahasamund (C.G.) for the offence punishable under Sections 294,323,506/34,452 and 354 of IPC together with Section 3(1)(x) and 3(1)(xi) of Scheduled Caste and Scheduled Tribes(Prevention of Atrocities) Act, 1989.
2. The first bail application of the applicant was dismissed on 01.07.2016 in M.Cr.C. No. 3234 of 2016.
3. Case of the prosecution, in brief, is that on 26.09.2015 at village Arjuni, the victim was caught hold by the present applicants and

she was dragged to the street of the village on allegation that she has relation with one Pankaj Thakur. Subsequently she was made to parade in the street of the village and the garments of the lady was also taken out and she was abused and assaulted. The incident happened from 11.00 am till 6.00 pm approximately.

4. Counsel for the applicant submits that there is no change of circumstances, however, wrong submission was made by the counsel for the State, therefore, it was rejected.
5. State counsel opposes the prayer for grant of bail.
6. Perused the earlier rejection order dated 01.07.2016, evaluating of the fact and the case diary the bail petition was dismissed. Since, there is no change of circumstances appears, therefore, I am not inclined to reconsider the second bail petition.
7. Accordingly, the second bail application is dismissed at the motion stage.

Sd/-
(Goutam Bhaduri)
Judge