

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1187 of 2015

1. Gufran Mohammad S/o Late Gulam Mohammad Aged About 49 Years R/o Sadar Road, Badhai Para, Navapara, Thana Gobra Navapara, District- Raipur (Chhattisgarh)
2. Juber Ahmed S/o Late Gulam Mohammad Aged About 40 Years R/o Sadar Road, Badhai Para, Navapara, Thana Gobra Navapara, District- Raipur (Chhattisgarh)

---- Applicants

Versus

State Of Chhattisgarh Through- P.S. Gobra Navapara, District- Raipur (Chhattisgarh)

---- Respondent

For applicants – Shri K.K. Dewangan, Advocate.
For Respondent/State – Shri Ramakant Mishra, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/01/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 205 of 2011, registered at Police Station Gobra Navapara, District Raipur (C.G.) for offence punishable under Section 294, 323, 506, 427, 34 of IPC and Section 3 of Lok Sampatti Nivaran Adhiniyam.
2. Learned counsel for the applicants submits that earlier applicants were enlarged on bail by the trial court under Section 294, 323, 506, 427 read with 34 of IPC. Subsequently, it is apprehended that at the time of framing of charge offence under Section 3 of Lok Sampati Nivaran Adhiniyam may be framed which is non-bailable. He therefore submits that if they are arrested they may be granted benefit of anticipatory bail.
3. Learned State counsel opposes the prayer for grant of anticipatory bail.
4. I have perused the case file which contains two orders of dismissal

of anticipatory bail vide M.Cr.C. (A) No. 818/2012 dated 13/09/2012 and M.Cr.C. (A) No.621/2012 dated 20/07/2012. Considering the fact that earlier on the same ground bail applications have been dismissed, I do not find any new fact to reconsider the same, therefore I am not inclined to extend benefit of anticipatory bail to the applicants.

5. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE