

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 53 of 2016

Kapil Dev Nayak S/o Shri Prahlad Ram Nayak Aged About 45
Years Occupation Agriculture, R/o Village Gindola, Police
Station Bhupdevpur, Civil & Rev. Distt. Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station Bhupdevpur, Tahsil Kharsiya, District Raigarh,
Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Deepali Pandey, Advocate.
For State	:	Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/01/2016

Heard.

1. This is third application for grant of anticipatory bail by the applicant.
2. Learned counsel for the applicant submits that the application for grant of anticipatory bail has now been moved mainly on the ground that the applicant is suffering from cardiac problem.
3. This Court after considering the merits of the case found that no case for grant of anticipatory bail is made out and therefore, the first application for grant of anticipatory bail was rejected vide order dated 05.08.2015 passed in M.Cr.C.A. No.681 of 2015. Thereafter, another application was made by the applicant which was also rejected.

4. As the applicant is absconding and has not been surrendered, I am not inclined to extend the benefit of anticipatory bail to the applicant on the stated ground. However, if the applicant surrenders and applies for grant of regular bail on such ground as may be available to him under the law including the ground of illness, the application shall be considered and decided by the Court below as early as possible preferably within a period of two days.

5. The anticipatory bail application is therefore rejected.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E