

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 443 of 2016

- Duryodhan Ram Yadav S/o Shudro Ram Yadav Aged About 47 Years Caste Mahkul, R/o Ranikombo, Police Station Narayanpur, Tahsil Kunkuri, District Jashpur, Chhattisgarh. At Present Posted As Secretary, Gram Panhayat Khandsha, Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---- Petitioner

**Versus**

- State Of Chhattisgarh Through The Staton House Officer, Police Station Kunkuri, Distrit Jashpur, Chhattisgarh.

---- Respondent

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For Applicant  
For Respondent/State

Mr. Harish Khuntiya, Advocate  
Mr. Ramakant Mishra, Dy. AG

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Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/4/2016

1. Heard.
2. This is the third bail application under Section 438 of the Code of Criminal Procedure apprehending his arrest in connection with Crime No.82 of 2015 registered at Police Station Kunkuri District Jashpur for the offence under Sections 420, 467, 468, 471, 409 and 120-B of the IPC.
3. Learned counsel for the applicant submits that the case of the applicant Duryodhan Ram Yadav and of Smt. Heeramani Xalxo is similar. He submits that though this

Court was not inclined to grant anticipatory bail to Duryodhan Ram Yadav, later on, Smt. Heeramani Xalxo has been granted anticipatory bail by a Coordinate Bench of this Court on 21.01.2016 in M.C.R.C. (A) No.1276 of 2015.

4. The applicant earlier moved an application under Section 438 of the Code of Criminal Procedure bearing M.Cr.C. (A) No.842 of 2015. The same was dismissed by order dated 04.09.2015. The said order reads that after arguing for sometime, the application was withdrawn with liberty to apply for grant of regular bail before the Court below on the submission that other co-accused has been granted regular bail. However, the applicant did not surrender and again, moved an application under Section 438 of the Cr.P.C. bearing M.Cr.C. (A) No.1308 of 2015, which was dismissed by this Court by order dated 05.01.2016.
5. The applications of the applicant for grant of anticipatory bail have been repeatedly rejected by this Court. The submission that the other co-accused has been granted anticipatory bail cannot be made the basis, because, the order passed in other case is subsequent to rejection of applicant's bail application by this Court on 05.01.2016.
6. In view of the above, the application (M.Cr..C. (A) No.443 of 2016) is dismissed. Sd/-

**(Manindra Mohan Shrivastava)**

Judge

Gowri