

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2676 of 2016

- Smt. Chameli Deshlahra W/O Shri Hemshankar Deshlahra Aged About 46 Years R/O Village Chainganj, Police Station Gunderdehi, Civil & Revenue District Balod, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Gunderdehi, District Balod, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anup Majumdar, Advocate

For Respondent/State : Mr. O.P. Sharma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.07.2016

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 29-7-2015 in connection with Crime No. 212 of 2014, registered at Police Station Gunderdehi, District Balod (CG) for the offence punishable under Sections 406 & 420 of the IPC.
2. Earlier first bail application was rejected on 2-9-2015 on merit and second bail application was rejected on 22-2-2016 by the same Bench. Now, third bail application has come for hearing before this Bench.
3. Learned counsel appearing for the applicant would submit that the applicant is a lady and out of 11 prosecution witnesses six prosecution witnesses have been examined who have not supported the prosecution case and complainant has been declared hostile. He would further submit that this case may take

for some time for hearing and the applicant is in jail 29-07-2015 therefore, she may be enlarged on bail.

4. Per contra, learned State counsel opposing the bail application would submit that as per prosecution, out of 11 witnesses, six witnesses have been examined, therefore, there is no urgency in the matter as the witnesses are being examined in the court below.
5. Taking into consideration the facts and circumstances and further considering the fact that earlier two bail applications were rejected by the co-ordinate Bench of this Court on merits, I do not find any changed circumstances in the instant bail application to consider again.
6. Accordingly, third bail application filed under Section 439 of the Cr.P.C. is also liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju