

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4083 of 2016

Sarfaraj Khan, S/o. Firoz Khan, Aged About 22 Years, R/o. Pandri, Civil Lines, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Pandri, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Smita Jha, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.08.2016

1. This is the first 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.283/2015 registered at Police Station- Pandri, Distt. Raipur (C.G.) for the offence punishable under Section 294, 323, 506B, 147, 307 of Indian Penal Code.
2. At the very out set, learned State counsel submits that though the applicant has written that this is a first bail application but this is a second bail application, as the earlier bail application was dismissed as withdrawn on 06.01.2016 in M.Cr.C. No.7422/2015 and concealment has been made in the instant bail application that it is the first bail application.
3. Learned counsel for the applicant would submit that this fact was not informed by the applicant and therefore this fact could not be mentioned.

4. Perused the bail application wherein at para 1, it is stated that this is the first bail application which is supported by an affidavit of Parvez Khan, S/o. Firoz Khan. Perusal of the case diary would reveal that this is the second bail application, the earlier bail application was dismissed as withdrawn on 06.01.2016 in M.Cr.C. No.7422 of 2015. Considering the fact that concealment has been made of the fact, the present bail application is dismissed at the threshold.

Sd/-
(Goutam Bhaduri)
Judge

Ashok