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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3821 of 2016**

- Haribasant Kesari S/o Raghav Prasad Kesari Aged About 54 Years R/o Village Balangi, Thana Raghunathnagar, Revenue District Ramanujganj-Balrampur, Civil District Surguja Ambikapur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Raghunathnagar, Police Outpost Balangi District Ramanujganj Balrampur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For Respondent /State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****01/12/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.35/2012, registered in Police Station Raghunathnagar, Police Outpost Balangi for offence under Sections 341, 186, 353, 332 & 307/34 IPC.
2. This is the second bail application under Section 439 of the Cr.P.C. The applicant was earlier released on bail vide order dated 27.09.2012 in M.Cr.C. No.3346/2012, however, on account of his failure to attend the trial, his bail has been canceled.
3. It is argued that the applicant is in jail since last more than 1 year and 6 months after re-detention, therefore, he is entitled to be released on bail.

4. Perusal of the previous bail order would indicate that the applicant was released on bail despite 10 previous cases registered against him. The previous cases are of Public Gambling Act, C.G. Excise Act for consumption of alcohol in public place, preventive detention and theft. Even though none of the cases involve any heinous offence but the fact remains that the applicant is habitual in committing offence affecting public peace and tranquility. In the present case the allegation against the applicant and his son is of trying to flee from the police custody and trying to kill the police personnel who intercepted them.
5. Considering the entire facts circumstances of the case, this Court is not inclined to release the applicant on bail. Accordingly, the bail application is dismissed, however, the trial Court is directed to conclude the trial within a period of six months from today. A copy of this order be sent to the trial Court forthwith.

Sd/-

Judge
Prashant Kumar Mishra

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