

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5410 of 2016

1. Dhirendra Mehar, S/o. Jagannath Mehar, aged about 30 years, R/o. Village-Gadumariya, P.S.- Pussore, Tah.- Pussore, Distt. - Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Kharsiya, District – Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Awadh Tripathi, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/09/2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.371/2015, registered at Police Station – Kharsiya, District – Raigarh (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120(B)/34 of Indian Penal Code. The first bail application was dismissed on merits vide order dated 10.12.2015 in M.Cr.C.No.6768/2015.
2. Case of prosecution in brief is that on 11.05.2015 Monet Ispat Energy issued a cheque of Rs.8,045/- in favour of Sahu Painting Works to which “70” was added before “8045” and the amount of cheque was shown as Rs.708045/- and cheque was deposited in

the Bank account. One co-accused Kishore Kumar Sahu has deposited the said cheque in his account and an amount of Rs.1,44,000/- has been withdrawn by the accused Set Ram Patel.

3. Learned counsel for the applicant submits that the applicant was not the beneficiary and the entire allegations were attributed to one Kishore Kumar. It is further submitted that the applicant has been falsely implicated in this case and he is in jail since 06.10.2015, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the earlier rejection order dated 10.12.2015. The bail was rejected on merits and it also records the fact that the bail application of similarly placed co-accused person has been rejected by the Coordinate Bench of this Court. Considering the fact I am not inclined to reconsider the same as no change of circumstances appears.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge