

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5921 of 2016

Nihal Ahmad @ Chhotu @ Pandey, S/o Siraj Ahmad Aged About 28 Years R/o Samarinagar Mohalla, Chhatarpur, Police Station Kotwali, District Chhatarpur, Madhya Pradesh.

---- Applicant

Versus

State of Chhattisgarh Through The Collector, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:- Mr. S.K. Guha, Advocate
For Respondent/ State	:- Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/09/2016

1. This is the second 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. 414/2013 registered at Police Station- Purani Bhilai, District Durg (C.G.) for the offence punishable under Sections 379 and 420 of Indian Penal Code.
2. The first bail application of the applicant was dismissed on merit on 07.07.2016 in M.Cr.C. No. 3391 of 2016.
3. As per the prosecution case, a report was made by Ravinda Singh on 02.10.2013 that in the intervening night of 28th/29th of Sept. 2013, his Bolero vehicle bearing Regn. NO. C.G. 07/T-2184 was stolen from his premises and subsequently after two years the

applicant was arrested at Sagar(M.P.) and the vehicle was recovered from the possession of one Ajit Bedia to whom the stolen vehicle was sold by changing the registration number.

4. Counsel for the applicant submits that the delay has been caused in this case, therefore, the applicant may be enlarged on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the merit of the case, earlier the bail was rejected on merit, I do not find any change of circumstances to entertain the bail petition, therefore, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge