

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6517 of 2016

1. Rajkumar @ Vicky, S/o. Upendra Yadav, aged about 23 years, R/o. Hasan Bazar, District Aara (Bihar), at present Lamkeni, Police Station Basna, Civil and Revenue District – Mahasamund (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station Basna, District – Mahasamund (C.G.)

---- Respondent

For Applicant	: Mr. Sunil Verma, Advocates
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/10/2016

1. This is the third 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.125/2016, registered at Police Station – Basna, District – Mahasamund (C.G.) for the offence punishable under Section 34 (2) of Excise Act. The first bail application was dismissed as withdrawn vide order dated 25.07.2016 with liberty to revive the same after examination of the seizure witness and the second bail application was dismissed for want of prosecution on 21.09.2016.
2. Learned counsel for the applicant submits at bar that seizure witness is yet to be examined in this case.
3. In view of the above, no occasion arises to reconsider the bail application again on the same fact when the seizure witnesses are not yet been examined.
4. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge