

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1072 of 2016

- Ram Kishore Kabire S/o Late Mansaram Aged About 48 Years
Occupation- Government Service, R/o Nakapara Ajad Chowk, Ward
No.1, Dongargarh, District Rajnandgaon, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Boratlav, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Sudeep Agrawal, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16-12-2016

1. This is second bail application under Section 438 of Cr.P.C., filed by the applicant apprehending his arrest in connection with Crime No. 15 of 2016 registered at Police Station Boratlav, District Rajnandgaon (CG), for offence punishable under Sections 420, 120(B), 34 of IPC. Earlier first bail application was dismissed on merits on 21-9-2016.
2. As per case of the prosecution, the applicant who was working as a Patwari of village Bagrekasha, PC.No.24, had given 22 point enquiry to different persons and on that basis sale of lands bearing Kashra No. 765/7 of 5 acres was made on 24-5-2013 with respect to Khasra No. 765/5 of 4.10 acres sale was executed on 24-5-2013 and for Khasra No.765/6 of 5 acres sale was executed on 27-5-2013. The said lands were Government lands for which 22 point enquiry was supplied to the different sellers showing it to be a private land and individual sellers have made the sale in favour of

different purchaser and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, therefore, the applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the earlier order which was dismissed on merit on 21-9-2016. The documents would show that there is no change of circumstance in this case and the applicant is still at large, therefore, considering any document virtually would amount to review of the earlier order.
7. Accordingly, second bail application filed under Section 438 of the Cr.P.C., is also liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju