

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7718 of 2016

- Anil Kumar Yadav S/o Santram Yadav, Aged About 23 Years R/o Village Puraina Tahsil Kartala, Police Station Urga, District Korba Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Police Station Champa, District Janjgir Champa Chhattisgarh

---- **Respondent**

For Applicant : Mr. Vikash Pandey, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-11-2016

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 on 19-5-2016 in connection with Crime No. 129 of 2016, registered at Police Station Champa, District Janjgir-Champa (CG) for the offence punishable under Sections 420, 506-B, 34 of the IPC. Earlier first bail application was dismissed on merits on 17-8-2016.
2. Case of the prosecution, in brief, is that a report was made by complainant Naraya Prasad Ketwar on 13-4-2016 that while he was coming back with disabled sister Budhwari Bai, the applicant along with one Hari Charan met them and stated that they will get them job in SBI. Subsequently, Rs.70,000/- was paid by Narayan and

Rs.22,000/- was paid by Budhwari Bai on different dates. However, the job could not be provided to them and the report was lodged.

3. Learned counsel appearing for the applicant would submit that other two co-accused persons are absconding, therefore, trial is withheld. He would further submit that in view of the aforesaid fact, the applicant may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the rejection of the bail order dated 17-8-2016.
7. Considering all the facts and circumstances of the cases and after rejection of the bail application on merit, I do not find any change of circumstance to reconsider the bail application again.
8. Accordingly, the second bail application filed under Section 439 of the Cr.P.C. is also liable to be and is hereby rejected. However, the trial Court is directed to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge

Raju