

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

M.CR.C.(A) No. 1295 of 2016

Ashish Gupta, S/o. Govind Gupta, aged 35 years, R/o. Niwadi, Police Station Niwadi, District – Tikamgarh (M.P.).

---Applicant

Versus

1. The State of Chhattisgarh, through : District Magistrate, Bilaspur (C.G.)
2. State of Chhattisgarh, through : Station House Officer, Police Station Civil Line, District – Bilaspur (C.G.)

---Respondents

30/11/2016	Dr. N.K. Shukla, Sr. Advocate with Mr. Malay Shrivastava, counsel for the applicant. Mr. Sangharsh Pandey, Dy. Govt. Advocate for the State. Heard. This is the second bail application for grant of anticipatory bail. The first bail application was dismissed as withdrawn on 22.09.2016 with a liberty that if the applicant surrenders himself before the concerned Court and he files an application for regular bail it will be heard on the same day. Considering such prayer, M.Cr.C.(A) No.801/2016 was disposed of with liberty to the applicant that if he surrenders himself before the concerned Court and files an application for grant of regular bail before the jurisdictional criminal Court, the Court shall make all endeavour to decide the regular bail application preferably on the same day.	

balram	However, as appears, the applicant has chosen not to surrender and again the anticipatory bail application has been filed. Considering the nature and the facts and circumstances of the case, there is no occasion to reconsider the bail as no change of circumstances has arisen. Further the applicant has failed to abide by the earlier order dated 22.09.2016. Therefore, I am not inclined to entertain the bail application. Accordingly, the bail application filed under Section 438 of Cr.P.C. is dismissed. However, the liberty granted to the applicant in M.Cr.C.(A) No.801/2016 shall still continue. Sd/- (Goutam Bhaduri) Judge	
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