

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8093 of 2016

1. Chandra Prakas @ Potta, S/o. Shri Murari Bhol, aged about 43 years, R/o. Nayapara, Dayalband, P.S. - City Kotwali, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – City Kotwali, Bilaspur, District – Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. Alok Tiwari, Advocate

For Respondent/State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/12/2016

1. This is the second 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.95/2016, registered at Police Station – City Kotwali, Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs and Psychotropic Substances Act, 1985. The first bail application was dismissed on merits vide order dated 22.06.2016 in M.Cr.C. No.2988/2016.
2. Case of the prosecution, in brief, is that on 07.03.2016 on information received that the applicant was involved in the transaction of Cannabis, raid was conducted and while the applicant was purchasing Cannabis, he was caught red handed along with other accused namely Harish Sahu.
3. Learned counsel for the applicant submits that there is a change of

circumstances as there is a considerable delay in trial, therefore, the applicant may be enlarged on bail.

4. Perused the earlier bail rejection order. Perusal of the earlier bail rejection order would show that the applicant was arrested on 07.03.2016 and charge-sheet has been filed. Taking into such fact I do not find any change of circumstances at this stage to reconsider the bail again.
5. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge