

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 280 of 2017

Mintu Mandal, S/o. Shri Ravindra Nath Mandal, Aged About 24 Years, R/o.
Block No.18, Police Station- Mana Camp, Civil & Revenue District- Raipur
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station- Mana Camp, District-
Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Devershi Thakur, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.01.2017

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 in connection with Crime No.211/2015 registered at Police Station- Mana Camp, District Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B/34 of Indian Penal Code. The first bail application was dismissed on merit on 13.06.2016 in MCRC No.2733 of 2016.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused received an amount of Rs.16,43,750/- from different people over a period of time and one of the co-accused Gopal Mandal had issued different pass-books which were not at all issued by the HBN & Bajaj Allianz; thereby the offence is committed.

3. Learned counsel for the applicant submits that out of 71 witnesses, 11 witnesses have been examined and they have not stated anything against the applicant, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of this case, it is not proper for this Court to evaluate the evidence by picking up few of statement of the witnesses and to hold the trial when the first bail application was already dismissed on merit. Since only 11 witnesses have been examined out of 71 witnesses, I do not find any change of circumstances to reconsider the instant second bail application.
6. Accordingly, the second bail application is dismissed at the admission stage itself.

Ashok

Sd/-
(Goutam Bhaduri)
Judge