

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1229 of 2017

- 1. Athar S/o Mahd. Ahmed Aged About 25 Years R/o Vijaynagar, Police Station Ramanujganj, District Balrampur- Ramanujganj, Chhattisgarh.
 - 2. Anil Tiwari S/o Krishna Tiwari Aged About 44 Years R/o Shankargarh, Police Station Shankargarh, District Balrampur- Ramanujganj , Chhattisgarh.
- Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Shankargarh, District Balrampur- Ramanujganj , Chhattisgarh. ---
- Respondent**

For the applicant	:	Mr. Shakti Raj Sinha, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.03.2017

- 1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 63/2016 registered at P.S. Shankargarh, Distt. Balrampur Ramanujganj (C.G) for the offence punishable under Sections 420, 386, 354(A), 294, 506/34 IPC.
- 2. As per the prosecution case, a report was lodged by one Devnandan Ram that he was having bad dreams as such the applicants came to his house and started witchcraft and over a period of time in intervals Rs.15 lakhs were withdrawn and certain coins were also taken out after digging the courtyard and subsequently it was found that the said coins were not of the gold and silver. Further it was stated that they wanted to have physical relation with the wife of complainant and tried to outrage her modesty and also threat was extended.

3. Learned counsel for the applicants would submit that after dismissal of the first bail application on 10.01.2017, the complainant and other witnesses have been examined and no further investigation is necessary in this case and the applicants are in jail since 25.09.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of witnesses.
6. Considering the facts and circumstances of the case and after perusal of the statements, I do not find any change of circumstances to grant bail to the applicants. Accordingly, this bail application is rejected.
7. The trial Court is requested to expedite the trial.

Sd/-

**GOUTAM BHADURI
JUDGE**