

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1615 of 2017

1. Digamber, S/o. Shyam Singh Rathia, Aged About 18 Years, Caste - Rathia, R/o. Village Sakdukala, Police Station -Balco Nagar, District Korba Chhattisgarh

----Applicant

Versus

1. State Of Chhattisgarh, Through : The District Magistrate, Korba Chhattisgarh

---- Respondent

For Applicant : Mr. Badal Lal Bhardwaj, Advocate

For Respondent/State : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/03/2017

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.92/2016, registered at Police Station – Balco Nagar, District – Korba (C.G.) for the offence punishable under Section 294, 506-B, 323, 379, 394, 411 and 34 of the Indian Penal Code. The first bail application was dismissed on merits vide order dated 07.09.2016 in M.Cr.C. No.5312/2016.
2. Learned counsel for the applicant would submit that this is second bail application and after rejection of first bail application on 07.09.2016, one co-accused has been granted bail, therefore, the counsel prays that the applicant may be enlarged on bail.

3. On being specifically asked that where is the order by which the similarly placed co-accused has been enlarged on bail, the learned counsel is unable to place it on record and as appears without any facts, submissions have been made.
4. In view of this I do not find any change of circumstances to reconsider the bail application again.
5. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge