

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 1794 of 2017

Atul Sharma S/o Yogondra Sharma, Aged About 34 Years R/o Kailash Nagar,
Housing Board, E. W. S. 168, Jamul Tahsil And District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate Durg Chhattisgarh

---Respondent

10/03/2017	Shri Jitendra Gupta, counsel for the applicant. Shri Anil S. Pandey, G.A. for the State. This is second bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 8/08/2016 vide M.Cr.C. No.4350 of 2016. Learned counsel for the applicant submits that after rejection of the first bail application on 8/08/2016 seven witnesses have been examined and they have not stated anything against the applicant. It is submitted by the State that out of 12 witnesses, 7 witnesses have already been examined. Detail statements have been filed which are examination and cross examination of the witnesses. Considering the same, it is not proper for this court to evaluate the evidence and give a finding by usurping power of the trial court while hearing bail. Considering the fact that already 7 witnesses have been examined, I do not find any change of circumstance to	

reconsider this second bail application.

Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE

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