

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2036 of 2017

Dinesh Kumar, S/o. Prahlad, Aged About 40 Years, R/o. Village- Semariya,
Police Station- Bhatapara (Rural); District (Revenue & Civil)- Balodabazar-
Bhatapara, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Police Station- Bhatapara (Rural); District
(Revenue & Civil)- Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sanjeev Das, Advocate
For Respondent/State	: Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/04/2017

1. This is the third 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.194/2016, registered at Police Station – Bhatapara (Rural), District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of Excise Act.
2. The first bail application was dismissed on merits vide order dated 23.08.2016 in M.Cr.C. No.4769/2016 with liberty to repeat the bail application after examination of the seizure witnesses and as would reveal that till date the seizure witnesses have not been examined.
3. Considering the same, I do not find any reason to reconsider the bail application specially in absence of the order sheet of the trial Court, which would explain the delay of pendency, whereby the facts could

have been gathered why the witnesses have not been examined.

Taking into such facts, I am not inclined to release the applicant on bail.

4. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram