

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4549 of 2017

- Jageshwar @ Ballu Dhruw S/o Devji Dhruw, Aged About 23 Years, R/o Mainpur, Police Station Mainpur, District Gariyaband, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Panduka, District Gariyaband, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Shashi Kumar Kushwaha, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

11-08-2017

1. Heard the matter finally.
2. This is repeat bail application, earlier MCRC No.2308/2017 was dismissed by this Court on 26-04-2017 after considering the entire merits of the case. In addition, learned counsel for the applicant would submit that the though he gave the memorandum regarding 25 number of diamond mineral, but the said mineral was not seized from the applicant. The applicant is falsely implicated. Trial may take some time. Trial is not in progress. Hence, the instant MCRC may be allowed.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant as there is no any change of circumstances.
4. Perused the entire material.
5. On consideration of the fact that this Court after considering the entire merits dismissed the earlier MCRC filed by the applicant and there is no any change of circumstances, I am not inclined to take a different view which is taken while deciding the first bail application. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge