

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5058 of 2017

Jitendra Singh, S/o. Late Chandra Pratap Singh, Aged About 26 Years,
R/o. Lodhi Para, Avanti Chowk, Post Office Raipur, Police Station Pandri,
Raipur, Tahsil & District Raipur, Chhattisgarh, Mob. No. 9165641737 .

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station
Pandri, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01.08.2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.134/2016 registered at Police Station- Pandri, District Raipur (C.G.) for the offence punishable under Section 307/34 of Indian Penal Code and Section 25/27 of Arms Act. The first bail application was dismissed as withdrawn on 01.02.2017 in MCRC No.414/2017 with liberty to repeat the same after examination of the victim.
2. Case of the prosecution, in brief, is that on 25.05.2016 the applicant alongwith others assaulted the victim by way of Knife, which was enough to cause his death.
3. Learned counsel for the applicant would submit that the first bail application was dismissed as withdrawn on 01.02.2017 with liberty to repeat the same after examination of the victim and now the victim Rajesh Verma has been examined and he has not stated

anything against the applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim Rajesh Verma wherein he has stated that all the accused have come and assaulted by way of Knife on his abdomen. Therefore, prima facie positive statement has been made. Considering the same, I do not find any change of circumstances to reconsider the instant second bail application.
6. Accordingly, the second bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge