

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6076 of 2017

Vinod Kumar Singh S/o Sukhdeo Singh, Aged About 33 Years
Caste Kanwar, R/o Village Bhalukachar, Police Station Darima,
Tahsil Ambikapur, Civil & Revenue District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Ambikapur,
District Surajpur, Chhattisgarh.

---- Respondent

For applicant - Shri A.K. Prasad, Advocate.
For Respondent/State –Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

25/09/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 9/08/2016 vide M.Cr.C. No.4393/2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.40/2016 registered in Police Station Darima, District-Surguja (C.G.) for offence punishable under sections 302, 201, 34 of Indian Penal Code.
3. As per the prosecution case, dead body of one Pradeep Kumar was found near Lutma River and he was last seen in the company of present applicant till late night of 16/03/2016 and his dead body was found on 17/03/2016 near the said river. The death was caused by strangulation and the applicant being in the company of deceased till last moment, he has committed the offence.
4. Learned counsel for the applicant submits that this is the second bail application. He submits that false allegations have been attributed against the applicant, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.
6. Perused the earlier bail rejection order and also statement of the witnesses. It will not be proper for this court to give a finding as it will prejudice trial either on behalf of the prosecution or defence. Considering the fact, I do not find any prima facie change of circumstances to reconsider this second bail application.
7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE