

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 70 /2018

Abdul Khalid, S/o. Abdul Rafiq, Aged About 27 Years, R/o. Lalita Chowk,
Over Aman Medical, Momin Para, P.S. Azad Chowk, Raipur, District
Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Civil Line, District Raipur,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Sudeep Johri, Advocate.

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.04.2018

1. Apprehending arrest in connection with Crime No.815/2016 registered at Police Station- Civil Line, District Raipur (C.G.) for the offence punishable under Section 384/34 of Indian Penal Code, the applicant has preferred this second application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. The first bail application was dismissed on 21.06.2017 in MCRCA No.428 of 2017 with a direction to the applicant to surrender before the trial Court and it is further directed that after such surrender, if an application under Section 437 of Cr.P.C. is filed by the applicant before the trial Court, the same shall be decided on merits without any influence of the order of rejection of the earlier bail application.
3. Learned counsel for the applicant submits now the trial has been completed and other co-accused has been acquitted, the applicant is a student, therefore, he may be given the benefit of anticipatory bail.
4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.

5. Considering the fact that the applicant was earlier by an order dated 21.06.2017 directed to surrender before the Court below, which he failed to comply with, as such, I am not inclined to entertain this second anticipatory bail application, as the applicant disobeying the earlier direction made by this Court.
6. Accordingly, the second anticipatory bail application is dismissed.

Ashok

Sd/-
(Goutam Bhaduri)
Judge