

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 121 of 2018**

- J.P. Dwivedi S/o Shri Agun Prasad Dwivedi, Aged About 59 Years Posted As District Manager, Balodabazar, Food Supply Corporation Balodabazar, R/o Ganga Nagar, Section 2 Behind Van Vikas Nigam Office Mangla Road Bilaspur District Bilaspur Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Incharge Anti Corruption Bureau Raipur Chhattisgarh

---- Respondent

For Applicant	:	Shri Peeyush Bhatia, Advocate
For Respondent-State	:	Shri Ashish Shukla, Dy. AG for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25/01/2018**

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 09 of 2015 registered at P.S. Anti Corruption Bureau, Raipur (C.G) for the offence punishable under Sections 109, 120-B, 420, 409 of IPC and Section 13(1)(d), 13(2) of the Prevention of Corruption Act.
2. The First Bail application bearing M.Cr.C. No.3606/2016 was dismissed on merits on 25.07.2016. The Second bail application bearing M.Cr.C. No.3128/2017 was dismissed on merits on 12.07.2017.
3. It is contended that the bail of the similarly placed co-accused Kshir Sagar Patel has been allowed by the Supreme Court on 22.09.2017 bearing SLP (Criminal) No.4304/2017, therefore, the applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the bail applications of Dilip Kumar Sharma bearing M.Cr.C. No.6359/2017 is dismissed on 10.10.2017, Moti Lal Sahu bearing M.Cr.C. No.7170/2017 is dismissed on 14.11.2017 & Sudhir Kumar Bhole bearing M.Cr.C. No.7181/2017 is dismissed on 15.11.2017 by the co-ordinate Bench of this Court, I am not inclined to allow this bail application as the institutional parity in orders must exist. I do not find any change of circumstances to reconsider this repeat bail application. Accordingly, the Bail application is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu