

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2812 of 2018

Rahul Singh S/o Shri Dhananjay Singh Aged About 28 Years (Now 30) R/o Bardiha, P. S. Narsinganj, District Rohtas, Bihar, Presently Residing At Village Jhargawa, Devri Mod, P. S. Post And Tahsil Batauli, Distt. Sarguja Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Ambikapur, Distt. Sarguja Chhattisgarh

---- Respondent

For applicant - Shri A.N. Bhakta, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/04/2018

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 3/01/2017 vide M.Cr.C. No.8401/2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.676/2015 registered in Police Station City Kotwali, Ambikapur, Sarguja C.G.) for offence punishable under section 506, 507, 419, 420, 465, 471 of IPC and Section 66(A) of I.T. Act.
3. As per the prosecution case, a report was made by Jitendra Singh on 22/11/2015 alleging that on 15/11/2015, he received a phone call from Rahul Singh from his mobile no.8858068792 to his mobile No.9425254529 and stated that he survived bullet shot which was earlier made, however, he has not closed the petrol pump and was advised to close. The running of petrol pump was in dispute and the applicant wanted to take over the said petrol pump, which was the cause of dispute. Earlier

to that it is alleged that the applicant alongwith others has fired bullet shot on the complainant to take over the possession of petrol pump, which the complainant could survive, which was followed by threatening on phone call. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant is still in jail, no substantial progress has taken place in trial, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the documents. Considering the facts, I do not find any change of circumstances exist to reconsider this second bail application.

7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE