

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4581 of 2018

Dinesh, S/o. Shri Devadas Tandan, Aged About 55 Years, R/o- Bhurki,
P.S. Bemetara, Tahsil And District- Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- P.S.- City Kotwali, District- Bemetara,
Chhattisgarh.

---- Respondent

For Applicant : Ms. Raashi Tiwari, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.07.2018

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.214/2012 registered at Police Station- Kotwali, District Bemetara (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120(b) of Indian Penal Code. The first bail application was dismissed on merit on 21.03.2018 in MCRC No.177/2018.
2. Case of the prosecution, in brief, is that a report was made by one Santosh Kumar that he had purchased the land after certain documents provided to him i.e. Rin Pustika, B-1, B-2 etc., and huge amount of Rs.41 Lakhs was paid as a sale consideration. Subsequently, when he went for mutation on the basis of said documents, it was revealed that the said documents were forged and the original owner Ramchandra Jath was actually lodged in central jail. It is alleged that the present applicant was also present during the course of transaction.

3. Learned counsel for the applicant submits that the other co-accused has been enlarged on bail by the co-ordinate Bench of this Court on 07.05.2018 in MCRC No.2029/2018 and the case of the present applicant is similar; therefore, the present applicant may also be released on bail.
4. Learned State counsel opposes the same and submits that the present applicant has been named in the FIR whereas the other co-accused who has been granted bail has not been named in FIR.
5. Perused the case diary and the documents. Considering the fact that the earlier bail application was dismissed in March, 2018, I do not find any change of circumstances to reconsider the instant second bail application.
6. Accordingly, the second bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge