

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.5699 of 2018

Yugansh Rathore @ Golu S/o Manoj Ku. Rathore, aged about 18 years,
R/o village Sapiya, Police Station Dabhara, District Janjgir-Champa
(C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - Police Station - Kharsia, District
Raigarh (C.G.).

---Respondent

For applicant	:	Shri Shrawan Agrawal, Advocate.
For resp./State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/08/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.414/2017 registered at Police Station Kharsia, District Raigarh (C.G.) for the offence punishable under Sections 147, 148, 149, 302, 452, 294, 506, 323 & 427 of IPC.
2. Present applicant is in jail since 26/10/2017.
3. This is the second bail application.
4. The earlier bail application stood rejected by this Court on 02/05/2018 vide MCRC No. 2583/2018.
5. The counsel for the applicant submits that, in the instant case, 9 of the other accused persons are already been enlarged on bail and the nature of allegation against the present applicant also is almost similar and thus

prayed for releasing the applicant on bail on the ground of parity. He further contended that, the present applicant having been named in the F.I.R. alone by itself could not be a strong ground for rejecting the bail application and the entire factual matrix has to be taken into consideration and lastly it was contended that one of the eye-witness in the instant case does not support the case of the prosecution in its entirety and thus prayed for releasing the applicant on bail.

6. Taking into consideration the submissions made by the counsel for the petitioner, this Court finds that, while deciding the earlier bail application, all these precise arguments has already been considered by this Court, further the bail application was rejected barely 3 months ago. That no substantial change has taken place except for a couple of witnesses been examined in between.

7. In the facts, this Court is not inclined to grant bail to the present applicant at this juncture.

8. Accordingly, the instant MCRC stands rejected.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit