

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.6099 of 2018

Vidyanand Rathore S/o Ram Ratan Rathore, aged about 28 years, R/o village Sapia, Tahsil-Malkharaoda, P.S. Dabhra, District Janjgir-Champa, Civil and Revenue District Janjgir-Champa (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - The District Magistrate, District Raigarh (C.G.).

---Respondent

For applicant	:	Shri B.D.Guru, Advocate.
For resp./State	:	Shri Ratan Pusty, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/08/2018

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 is a repeat bail application.
3. The earlier bail application stood rejected by this Court on 02/05/2018.
4. The counsel for the applicant submits that, pursuant to the rejection of the bail application, some of the witnesses have been examined and the deposition of these witnesses did not support the case of prosecution. Moreover, the deposition also reflects that, the cause of death of deceased

was not the assault made by the present applicant and thus prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that, recently, this Bench considering the bail application of another co-accused in MCRC No. 5699/2018 against whom the allegations were identical had rejected the same on 07/08/2018 almost on the same grounds which has been raised by the counsel for the applicant in this case and thus prayed for rejection of bail application.

6. Taking into consideration the order of this Court passed in MCRC No. 5699/2018 in the case of Yugansh Rathore v. State of C.G. decided on 07/08/2018 so also considering the gravity of offence and the role played by the present applicant in the commission of offence, this Court is not inclined to grant bail to the present applicant at this juncture.

7. Accordingly, the instant MCRC stands rejected.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE