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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6157 of 2018**

Guddu Singh S/o Late Shri Chanchal Singh Aged About 33 Years R/o-
Dumri Adda, Post Dumri, P.S. Doriganj, District- Saran, Chapra, Bihar, Bihar.

---- Applicant**Versus**

State Of Chhattisgarh Through- S.H.O. Police Station Saraipali, District-
Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant : Shri B.P. Singh, Advocate.
For the Respondent/State : Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.09.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application has been dismissed on merits by this Court in M.Cr.C. No. 1067 of 2018 dated 16.5.2018. The applicant has been arrested in connection with Crime No.306 of 2017, registered at Police Station – Saraipali, District – Mahasamund, Chhattisgarh for the offence punishable under Sections 395, 398 and 120B of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 14.10.2017 and has been falsely implicated in this case. It is submitted that in the present circumstances, the seizure witnesses have been examined before the trial Court and have not supported the case of the prosecution which may be regarded as change in the circumstances. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the trial is still going on and there are more substantial witnesses to be examined before the trial Court. Hence, for these reasons, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. After considering that there is more material that is still to be brought by the prosecution before the trial Court, only for the reason that the seizure witnesses have not supported the prosecution case it cannot be said that case is over and also it cannot be said that this is change in circumstances. Hence, I do not find any reason to allow this second bail application.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge