

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6300 of 2018

Gajanand Rathore S/o Firan Lal Rathor (wrongly mentioned as Kirna Singh in the impugned order, Aged About 29 Years R/o- Gataura, P.S. Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station Ratanpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For applicant - Shri Tarun Dansena, Advocate.
For Respondent/State –Shri Dilman Rati Minj, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

29/08/2018

1. This is third bail application under section 439 of Cr.P.C. The first bail application was dismissed on 11/05/2018 vide M.Cr.C. No.1104 of 2018 and second bail application was dismissed on 18/07/2018 vide M.Cr.C. No.4672 of 2018 on the ground that appellant was absconding and after case of the other co-accused were decided the applicant was arrested.

2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.149/2012 registered in Police Station Ratanpur, District Bilaspur (C.G.) for offence punishable under sections 120B, 408 & 34 of IPC.

3. As per the prosecution case, the applicant along with other co-accused in between 21/05/2012 to 28/05/2012 has sold the loaded coal which was to be transported on behalf of the Hind Energy & Coal Benification Limited in between to Pappu Coal Depot Beltara and fled away.

4. Learned counsel for the applicant submits that charge have been

framed, applicant is in jail since 22/01/2018, therefore the applicant may be released on bail.

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

6. Earlier bail application has been dismissed only on the ground that the applicant was absconding. The incident is of 2012. Therefore, at this stage I do not find any change of circumstances within short span of time of a month to reconsider this third bail application.

7. Accordingly, the third bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE