

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7182 of 2018

1. Kadar Khan S/o Rajjab Khan Aged About 22 Years R/o Village- Milupara,
 2. Shankar Bhagat S/o Kanhaiya Bhagat Aged About 20 Years R/o Village- Kodkel Milupara,
 3. Lokesh Behra S/o Dashrath Behra Aged About 26 Years R/o Village- Hijnhar,
- Applicant No.1 to 3 Police Station And Tahsil- Tamnar, District- Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through District Magistrate, Raigarh, District- Raigarh, Chhattisgarh.

---- Respondent

For applicants - Shri Rajendra Tripathi, Advocate.
For Respondent/State –Shri Aditya Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

31/10/2018

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 2/07/2018 vide M.Cr.C. No.4363 of 2018.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.32/2018 registered in Police Station Thana Tamnar, District Raigarh (C.G.) for offence punishable under section 394 of IPC.
3. As per the prosecution case, the applicants have committed loot of Rs.5000/- from the complainant on 6/02/2018 on the point of knife and thereafter assaulted and took away the motorcycle.
4. Learned counsel for the applicants submits that the applicants are in jail since 11/02/2018, no substantial progress has taken place, therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.
6. Considering the statement of the complainant and the period which the applicants are in jail, I do not find any exorbitant time has lapsed to reconsider the bail again as the earlier bail application was dismissed as withdrawn on 2/07/2018. Taking into such fact, this court is not inclined to entertain this second bail application.
7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE