

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8086 of 2018**

- Balram Khatik S/o Rajshri Khatik Aged About 47 Years R/o Bazarpara, Police Choki-Koriya Colliery, P. S. Chirmiri, Tahsil Baikunthpur, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through P. S. Chirmiri, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant	: Shri Jaiprakash Shukla, Adv.
For Non-applicant	: Shri Neeraj Mishra, Dy. Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.11.2018

1. This is Second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 147/2018 registered at Police Station – Chirmiri, District- Koriya (C.G.) for the offence punishable under Sections 384, 420, 120(b), 506 of the Indian Penal Code and Section 4 of Karja Act.
3. Prosecution story in brief is that complainant Devchand is R/o Koriya Colliery, Chirmiri. He took a loan of Rs. 70,000/- from applicant No. 2 Balram Khateek. To recover the loan amount, the applicant and other co-accused persons obtained blank cheques from the complainant and withdrawn Rs. 9 lacs through the said cheques.
4. Learned counsel for the applicant argued that applicant has been falsely implicated in the present case, he is innocent, charge sheet has been filed, applicant is in jail since 27.06.2018, thus he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Earlier, first bail application of the applicant was rejected on the ground that four other criminal cases have already been registered against him.
7. Counsel for the applicant further submitted that applicant has been acquitted in all the criminal cases way back.
8. Looking to the facts and circumstances of the case this Court find that there is no change in circumstances which may entitle applicant to get benefit of section 439 Cr.P.C. in second round.
9. Accordingly, the present bail application is rejected.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE