

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1559 of 2018**

Amit Singh Thakur, S/o. Shri Kunwar Singh Thakur, aged about 42 years,
R/o. Parijaat Extension, Nehru Nagar, Bilaspur, Tahsil and District –
Bilaspur (C.G.)

----Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police
Station- Civil Line, Bilaspur, Tahsil and District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Gagan Tiwari, Advocate
For Respondent/State	: Mr. Ashish Shukla, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****22/11/2018**

1. Apprehending arrest in connection with Crime No.744/2018, registered at Police Station – Civil Line, Bilaspur, District – Bilaspur (C.G.) for offence punishable under Section 420 of the Indian Penal Code, the applicant has preferred this second bail application filed under Section 438 of Cr.P.C. The first bail application of the applicant was dismissed on merits vide order dated 11.10.2018 in M.Cr.C.(A) No.1249/2018
2. It is submitted by the learned counsel for the applicant, that the applicant has been arrested in connection with some other crime and placed in detention. The police so far has not made any attempt to arrest this applicant in this case as it appears that there

is no requirement of the applicant for any custodial interrogation in this case. Therefore, it is prayed the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that earlier application of the applicant has been rejected on merits and thereafter, the arrest of the applicant in this case is proposed for which the application is to be moved on 24.11.2018. Apart from that there are 11 other cases registered against this applicant and there is every likelihood of this applicant that he will pressurize, terrorize and influence the witnesses, therefore, the applicant may not be released on anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. Only ground regarding change in circumstance that has been put forth by the learned counsel for the applicant that the applicant has been arrested in connection with some other case. Facts and circumstances against the applicant remain the same. The ground raised can not be considered as change in circumstance, therefore, this Court is not inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
6. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge