

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 240 of 2019**

Ubaran Chaturvedi, S/o Pandey Chaturvedi, aged about 40 years, R/o village Devgaon, Balodabazar District Balodabazar Bhatapara (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Arang, District Raipur (CG). ---- **Non-applicant**

For Applicant	: Ms. Hamida Siddiqui, Advocate
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

31.01.2019

1. This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.296/2018 registered at Police Station Arang, District Raipur for the offence punishable under Sections 436/34 of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by the order of this Court dated 15.11.2018 passed in M.Cr.C. No.8358/2018 considering the prima facie of case and looking to this fact that 06 criminal cases, out of which, 02 under IPC and 04 under CrPC have already been registered against the applicant in police case diary.
3. Case of the prosecution in brief is that on 04.07.2017 at Dhourabhatha, the applicants poured the petrol on the hut of the complainant Govind Tandan where he was running a hotel, thereafter, he set the hut on fire and damaged the articles of Rs.15,000/- of the complainant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the case. She further submitted that charge-sheet has already been filed and the applicant is in jail since 04.10.2018. He has already been acquitted from two cases registered against him under IPC. Last case was registered against him under CrPC in the year 2015 and, thereafter, no case was registered against him hence he may be released on bail.

5. On the other hand, counsel for the State opposed the bail application.

6. Even if the applicant has been acquitted in 02 criminal cases registered against him under IPC, but it effects that 06 criminal cases have already been registered him. The aforesaid facts raised by the counsel for the applicant, it do not change the circumstances of the case on the strength of which he may be released on bail in second round. Consequently, the second bail application of the applicant is rejected.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-