

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1141 of 2019**

Sheetal Uraon S/o Shri Choudho Ram Uraon Aged About 45 Years R/o Village Magaki, Khamdand, Police Station Chando, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Chando, District Balrampur Ramanujganj Chhattisgarh.

---- Non-applicant

For Applicant:

Shri Rishi Rahul Soni, Advocate.

For State/Non-applicant:

Shri Shakti Singh Thakur, P.L.

Single Bench: Hon'ble Shri Sanjay Agrawal, J**Order On Board****26.02.2019**

1. This is the second bail application. Earlier bail application was rejected on merits vide order dated 11.09.2018 in M.Cr.C. No. 3639 of 2018. By way of this application filed under Section 439 of Code of Criminal Procedure, 1973 (hereinafter referred to as 'the Cr.P.C.') the applicant is praying for grant of regular bail as he has been arrested on 29.12.2017 in connection with the crime No. 40/2017 registered in Police Station Chando, District-Balrampur-Ramanujganj for the offence punishable under Sections 376 & 506 of IPC.
2. Learned counsel for the Applicant submits that the applicant has been falsely implicated in connection with the said crime. He further submits that despite repeated directions being issued by the concerned trial Court, the prosecutrix and other witnesses are not being appeared and, therefore, the applicant may be enlarged on bail.
3. On the other hand, Shri Shakti Singh Thakur, learned counsel for the

State while opposing the bail application submits that the evidence of two prosecution witnesses has already been recorded and submits further that in absence of any change in circumstances, the instant bail application deserves to be rejected, particularly when earlier one was rejected on merits on 11.09.2018.

4. I have heard learned counsel for the parties and perused the entire case diary carefully.

5. Having considered the facts and circumstances of the case and considering further that the earlier bail application was rejected on 11.09.2018 on merits and since there is no change in circumstances of the case, I am not inclined to allow this application. The bail application is, accordingly, rejected.

Sd/-

(Sanjay Agrawal)
JUDGE