

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1494 of 2019**

Madhusudan Mishra S/o Late Shri Rambharosa Mishra Aged About 59 Years R/o Prayagkunj, Bajrang Chowk, Santoshi Nagar, Police Station Tikrapara, Raipur Tahsil And District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through Police Station Gole Bazar, Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Y.C. Sharma, Advocate
For the State	:	Shri Vikram Dixit, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**14/03/2019**

1. This is the second bail application under Section 439 of the CrPC.
2. Earlier first bail application was rejected by this Court on 04/02/2019 in MCRC No. 9801/2018 considering the prima facie case against the applicant.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.217/2018 registered at Police Station Gole Bazar, Raipur, District Raipur (C.G.) for the offence punishable under Section 120B, 420, 467, 468, 471/34 of IPC and Section 4 of C.G. Debtors Protection Act.
4. Case of the prosecution, in brief is that complainant Ashok Kumr Verma had obtained Rs. 1 Lakh from the applicant to secure the loan, he had given five blank cheques and blank Hundi letters to the applicant. On 28/01/2004, the said complainant paid the entire balance amounts with interest to him, but the applicant had not returned back the aforesaid documents to him and converted them into forged documents for obtaining wrongful gain.
5. Learned counsel for the applicant submits that there is long delay in lodging FIR, applicant is in delay since 23/10/2018 thus he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. Looking to the facts and circumstances of the case, looking to the evidence available on record against the applicant, looking to this fact that there is no change of circumstances which may entitle the applicant to release on bail in second round of litigation, consequently his second bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
 Judge