

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1404 of 2019**

Rohit Kewat @ Nunha, S/o Udbodho Kewat, aged about 55 years, R/o Sirouli,
Police Station Chandrapur, District Janjgir Champa (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through District Magistrate, District Janjgir Champa
(CG). ---- **Non-applicant**

For Applicant	: Mr. C.P. Lahrey, Advocate
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27.02.2019**

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.200/2018 registered at Police Station Chandrapur, District Janjgir Champa for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 30.10.2018 passed in M.Cr.C. No.8375/2018 considering the *prima facie* of case and looking to this fact that seven other criminal cases have already been registered against the applicant.
3. Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that seizure witnesses have been turned hostile before the trial Court hence the applicant may be released on bail.
4. On the other hand, counsel for the State opposed the bail application.
5. Merely turning hostile of seizure witnesses is not a sufficient ground for release the applicant on bail.
6. Looking to the above facts and circumstances of the case and looking to this fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in the second bail application. Consequently, the second bail application of the applicant is rejected.
7. Certified copy as per rules.

SD/-

(Sharad Kumar Gupta)
JUDGE