

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1417 of 2019

- Rikhiram Kothare S/o Late Laxminath Kothare Aged About 40 Years R/o Village Mulle Chowki Birejhar, Tahsil Kurud, District Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kurud (Police Chowki Birejhar), District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

----Non Applicant

For the Applicant : Shri R.S. Patel, Advocate

For Non Applicant : Ms. S. Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board05.03.2019

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was rejected by this Court on 09.01.2019 in MCRC No.155 of 2019, considering the prima facie case and looking to this fact that 7 other criminal cases have been registered against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.461/2018 registered at Police Station- Kurud, District- Dhamtari (C.G.) for the offence punishable under Section 34(2) of the CG Excise Act.
4. Argument heard.
5. Counsel for the applicant submitted that applicant is in jail since long back thus, he may be released on bail. He further submitted that Trial Court may be directed to expedite the trial.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that 17 other criminal cases have been registered against the applicant.
7. Looking to the above facts and circumstances of the case, looking to the fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in second round of litigation. Consequently, the second bail application of applicant is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge