

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 773 of 2019**

Surajbhan S/o Nain Singh Kurre Aged About 24 Years R/o Village Sukhapali
Thana And Tahsil Dabhra, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer Police Station Dabhra
District Janjgir Champa Chhattisgarh.

---- Respondent

For the Applicant : Shri Surfaraj Khan, Advocate.
For the Respondent/State : Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.08.2019**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the third bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 28.1.2019 in M.Cr.C.(A) No. 1583 of 2018 and thereafter, the second bail application filed as M.Cr.C.(A) No. 299 of 2019 was again dismissed as withdrawn after seeking direction of this Court to surrender before the trial Court in which the directions were given for consideration on the application for grant of regular bail of the applicant preferably and practicably on the same day, if the applicant surrenders before the trial Court. The applicant is apprehending arrest in connection with Crime No. 83 of 2018, registered at Police Station – Dabhra, District Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 456, 354 and 506, 34 of the Indian Penal Code and Section

8 of the Protection of Children from Sexual Offences Act, 2012.

3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. It is further submitted that this application has been brought before this Court on the ground that co-accused – Rajendra has been granted bail by this Court on the basis of subsequent development. Hence, for these reasons, the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. Considering that the earlier applications filed by this applicant were dismissed as withdrawn and the directions were given on the request of the applicant himself that he will surrender before the trial Court. Instead of complying with the said direction, the applicant has again filed this application, which cannot be entertained. Hence, for these reasons, I do not feel inclined to grant anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge