

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3299 of 2019**

- Govinda Diwaker S/o Late Shri Shri Rajaram Yadav Aged About 24 Years
R/o Village Dhorabhata, Police Station Hirri District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Hirri, District Bilaspur Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri Amit Kumar Chaki, Advocate
For the State	:	Ms. S. Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15.05.2019**

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 on merits by this Court on 04.04.2019 in MCRC No.2279/2019. Looking to the prima facie case against the applicant and looking to this fact that 12 other criminal cases have been registered against him.
3. Counsel for the applicant submits that seizure witnesses have been examined before the trial Court and they have turned hostile thus, applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he submits that 12 other criminal cases have been registered against the applicant.
5. Mere turning hostile of seizure witnesses is not itself a sufficient ground to enlarge the accused on bail in second round of litigation.
6. Looking to the above facts and circumstances of the case, this Court finds that there is no change in the circumstance of the case on the strength of which the applicant be released on bail in second round of litigation, thus second bail application is rejected.
7. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)**
Judge

Parul