

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4086 of 2019**

Hira Singh Dhruv, S/o Shri Panchram Dhruv, aged about 30 years, R/o Village Bandora, P.S. Tumgaon, District Mahasamund (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Rakhi, District Raipur (CG).

---- Non-applicant

For Applicant	: Mr. N. Naha Roy, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.08.2019

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.216/2018 registered at Police Station Rakhi, District Raipur for the offence punishable under Sections 489-B, 34 of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 27.03.2019 passed in M.Cr.C. No.1703/2019.
3. Case of the prosecution, in brief, is that on 30.11.2018 applicant had deposited Rs.40,000/-; 20 currency notes of Rs.2000/- in the account of Dwarika Prasad Dhruv through recycle machine. Some witness had given account number of Dwarika Prasad Dhruv to the applicant.
4. Counsel for the applicant submits that in the case in hand seizure witnesses have been examined in the trial Court, did not support the prosecution case and they have turned hostile before the trial Court hence the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail

application. However, she submits that there is no criminal antecedent is reported against the applicant in police case diary.

6. Merely turning hostile of seizure witnesses is not a sufficient ground to enlarge the applicant on bail.

7. 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 round of litigation. Consequently, the second bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-