

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4260 of 2019**

- Pokhraj Singh S/o Shri Rajendra Singh Aged About 42 Years R/o Village Puran, Police Station Mungeli District Mungeli Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali, District Mungeli Chhattisgarh

-----Non Applicant

For the Applicant : Mr. Faiz Kazi, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19.07.2019**

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 by order dated 15.03.2019 passed in MCRC No.1410 of 2019 considering prima facie case against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.733/2017 registered at Police Station-City Kotwali, Mungeli (C.G.) for the offence punishable under Sections 34, 294, 506, 427 and 458 of the Indian Penal Code, 1860.
4. Case of the prosecution in brief is that complainant Kavita Singh is a

resident of Mungeli. On 12.12.2017, at about 10:30 p.m., applicant, co-accused Ashish Singh and Manish Singh entered in her house. They abused her, threatened to kill her son. They also broke her house hold articles.

5. Counsel for the applicant submitted that complaint is frivolous and report was lodged on account of political rivalry. Thus, applicant may be released on bail.
6. On the other hand, learned counsel for the State opposed the bail application, however, he submits that 7 other criminal cases have been registered against the applicant, out of which, 4 under CrPC and 3 under IPC.
7. Counsel for the applicant further submitted that in all cases, the complainant is one person.
8. Yet at this stage, it cannot be said prima facie that report lodged by complainant is frivolous or on account of political rivalry.
9. Looking to the above mentioned facts and circumstances of the case, there is no change of circumstance which may entitle the applicant to be released on bail in second round of litigation. Consequently, the second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge

pm