

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1413 of 2018

1. Sunil Kurre S/o Shri Hetram Kurre, Aged About 28 Years, R/o Village Singhaldev, P.S. Shivarinarayan, District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Hetram Kurre S/o Shri Bodhram Kurre, Aged About 45 Years, R/o Village Singhaldev, P.S. Shivarinarayan, District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through P.S. Masturi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Pawan Shrivastava, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Shri Paras Mani Shriwas, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-01-2019

1. Apprehending arrest in connection with Crime No.67/2018, registered at Police Station – Masturi, District- Bilaspur, Chhattisgarh for offence punishable under Section 420/34 of the IPC, the applicants have preferred this application for grant of anticipatory bail. This is second application filed under Section 438 of the Cr.P.C. by the applicants before this Court. Their first anticipatory bail application MCRCA No.372/2018 has been rejected on merits vide order dated 21-05-2018.

2. It is submitted by learned counsel for the applicants that earlier the applicants were granted relief of Ad-interim protection by this Court vide order dated 27-11-2018 and in that period the applicant had approached the Investigating Officer and gave their statement, on that basis the investigation is likely to take new direction, therefore, it is prayed that these applicants may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application

and submits that the application for anticipatory bail has already been rejected on merits by this Court, therefore, there is no ground for entertaining this application and appearance of the applicants before the Investigating Officer and recording their statement has brought no change in circumstances in favour of the applicants, therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. As the earlier application for grant of anticipatory bail has been rejected on merits, therefore, there is no need to go into the merits of the case.

6. On perusal of the case diary, it has appeared that the applicants have themselves filed a complaint which has been considered and enquired by the police, but this has brought no change in the direction of the investigation which is pending and continuing from the previous times, therefore, the ground that is being raised by the applicants may be useful as ground of defence in the case against them, but for the present, it appears that nothing favourable has occurred in favour of the applicants subsequent to the rejection of earlier application for grant of anticipatory bail. Hence, I do not find any reason to allow this application.

6. Consequently, the application for grant of anticipatory bail filed by the applicants is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge