

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9919 of 2018**

Anuj Chaudhary S/o Kaeel Aged About 32 Years R/o Village Kunjara, Police Station And Tahsil Lailunga, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Lailunga, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashok Soni, Advocate.
For the Respondent/State : Shri Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****21.01.2019**

Heard.

1. This is the third bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn and the second bail application was dismissed by this Court in M.Cr.C. No. 6737 of 2018 on 22.10.2018. The applicant has been arrested in connection with Crime No.48 of 2017, registered at Police Station Lailunga, District Raigarh, Chhattisgarh for the offence punishable under Sections 302, 120B, 147, 148 and 149 of the Indian Penal Code and Section 3(2)(5) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The change in circumstances that has taken place is that some of the witnesses examined by the trial Court have not

supported the prosecution case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. There are still some of the witnesses who have to be examined and since the Investigating Officer is also remained to be examined, it cannot be said that as to what direction the trial in this case proceeds. Therefore, there is no change in the circumstances, I do not feel inclined to grant regular bail to the applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge