

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1678 of 2018

- Prason Shukla S/o Late Manharan Lal Shukla, Aged About 41 Years
Occupation- Advocate, R/o Ward No.5, Tahsil & District- Bemetara,
Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Bemetara, District-
Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sudhir Verma, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-01-2019

1. Apprehending arrest in connection with Crime No.454/2018, registered at Police Station – Bemetara, District- Bemetara, Chhattisgarh for offence punishable under Section 255, 260, 420, 436, 471/34 of the IPC, the applicant has preferred this application for grant of anticipatory bail. This is second application filed under Section 438 of the Cr.P.C. by the applicant before this Court. His first anticipatory bail application MCRCA No.1210 of 2018 was rejected on merits by this Court on 12-10-2018.

2. It is submitted by learned counsel for the applicant that since the date of lodging of the FIR almost 130 days have passed and still the investigation has not been completed and charge sheet has not been filed. The applicant is a practicing counsel and he is regularly appearing before the courts, but, even then he has apprehension of being arrested. Hence, it is prayed that he may be granted anticipatory bail.

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

4. After rejection of earlier anticipatory bail application there appears no change in circumstances. Non-filing of charge sheet or the reason that the applicant is a practicing counsel and appearing before the courts cannot be a

ground for grant of anticipatory bail. Hence, the application is rejected. However, it is directed that the concerned Court may consider and decide the application for grant of regular bail of this applicant preferably on the same day he appears before the said Court.

Sd/-
(Rajendra Chandra Singh Samant)
Judge