

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1987 of 2020

Vinod Chandra, S/o Shri Babulal Chandra, Aged About 26 Years, R/o Village- Borsi, Tahsil- Champa, P.S.- Birra, District- Janjgir-Champa (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through: Police Station- Birra, District- Janjgir-Champa (C.G.)

--- Respondent

For Applicant : Mr. Ravindra Sharma, Advocate.

For State/ Respondent : Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16/06/2020

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 48/2019, registered at Police Station- Birra, District- Janjgir-Champa (C.G.) for the offence punishable under Sections 147, 294, 323, 427, 186, 353, 302, 341 & 506 (b) of IPC.
2. Learned counsel for the applicant submits that the earlier bail application MCRC No. 3938/2019 was dismissed on 13.08.2019 by this Court on merit. He further submits that the circumstances have been changed and because of hostility of the prosecution witnesses, the other co-accused have been granted bail by this Court as well as Co-ordinate Bench of this Court and the applicant is in jail since 09.05.2019, hence, it is prayed that the

applicant be also enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that the earlier bail application has been decided on merit and rejected and no ground is made out for entertaining this application, therefore, this second bail application may be rejected.
4. Heard counsel for both the parties and perused the records.
5. After considering the facts and circumstances of the case and also that the other co-accused have been granted bail by this Court as well as Co-ordinate Bench of this Court and case of this applicant is not different in sense, I am of the view that it would be proper to release the applicant on regular bail, hence, I feel inclined to grant bail to the applicant in this case.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge