

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1502 of 2021**

- Rishi Thakur @ Gangadhar Thakur S/o Shri Tilakram Thakur Aged About 20 Years R/o R. D. A. Colony, Boriyakhudai, P. S. Tikrapara, Raipur District Raipur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Purani Basti Raipur District Raipur Chhattisgarh

---- Respondent

For Applicant : Shri P.K. Patel, Advocate

For Respondents/State : Shri Gagan Tiwari, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****25/02/2021**

1. Heard.
2. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 30.05.2020 in connection with Crime No.153/2020 registered at Police Station Purani Basti, Raipur, District Raipur (CG) for the offence punishable under Section 307/34 of the Indian Penal Code.
3. The First Bail Application bearing M.Cr.C. No.6683 of 2020 was dismissed on 16.12.2020.
4. As per the prosecution case, on 30/05/2020 over a monetary dispute, the

applicant along with other person Saif Ali and Zaved Ali assaulted complainant Prabhakar Jha and two stab injury were inflicted on the abdomen, six stab injury on the buttock and one injury on the shoulder which were sufficient to cause death.

5. Learned counsel for the applicant submits that the applicant is in jail since 30.05.2020 and the considerable time has passed and the only allegation against the applicant is that he has held the victim and stab injury was caused by other two co-accused, therefore, the applicant may be released on bail.
6. Per contra, learned State counsel opposes the prayer for grant of bail.
7. Perusal of the earlier bail rejection order dated 16.12.2020 would show that earlier the bail application was dismissed on merits. No substantial facts have been placed on record to show that there is a change of circumstances to reconsider this repeat bail application. Considering the same, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu