

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3443 of 2021**

- Dinesh Son of Late Ramesh Kumar Nirmalkar Aged About 56 Years
R/o. Village Navagaon (Muneda) Police Station And Tehsil -
Khairagarh, District- Rajnandgaon (Chhattisgarh)

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer - Police
Station Khairagarh, District- Rajnandgaon (Chhattisgarh)

---- Respondent

For Applicant.	:	Mr. Shashank Thakur, Advocate.
For Respondent/State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2021**

The applicant has filed **Third Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 413/2019 registered at Police Station: Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 147, 148, 149, 302 of the IPC.

The second bail application of the applicant was dismissed on 17.02.2021 passed in MCRC No. 7828/2020.

As per the prosecution case, the allegation against the present applicant is that he along with other co-accused person assaulted one Kamal Verma, due to which he got severe injuries on his head and died during treatment.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He would next

contend that the applicant, aged about 56 years, is in jail since 30.10.2019 and is the sole bread earner of his family, his health condition is not so well, therefore, the present applicant may be released on bail.

Per contra, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the case diary.

After rejection of his second bail application on merit, I do not find any change in circumstances, therefore, no case is made out for grant of bail.

Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**