

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6544 of 2021

Ajay Dewangan, S/o. Mohan Lal Dewangan, Aged About 35 Years, R/o. Shastri Nagar, Fokatpara, Fafadih, Raipur, Police Station - Devendra Nagar, Tahsil And District – Raipur, Chhattisgarh (As Per Charge Sheet)

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station - Vidhansabha, District - Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. Ravi Bhagat, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

16.09.2021

1. 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 in connection with Crime No.143/2020 registered at Police Station- Vidhansabha, District Raipur, for the offence punishable under Section 392, 365, 342 of Indian Penal Code and 25/27 of the Arms Act.
2. The earlier bail application was dismissed as withdrawn on 15.12.2020 with liberty to repeat the same after examination of the seizure and memorandum witness.
3. Learned State counsel was directed to seek instruction as to what is the stage of trial. It is submitted that the seizure and memorandum witness have not been examined. In view of this, considering the earlier order dated 15.12.2020, I am not inclined to reconsider the instant second bail application. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected. The applicant may repeat the bail application after examination of the seizure and memorandum witness as was observed in the earlier dismissal order dated 15.12.2020.

Sd/-
(Goutam Bhaduri)
Judge