

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6521 of 2020**

- Budhram S/o Genda Ram Aged About 45 Years R/o Village - Kewra Pondopara, Police Station And Tehsil - Pratappur, District - Surajpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Pratappur, District - Surajpur, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. A. K. Prasad, Advocate.
For Respondent/State	:	Mr. Rakesh Sahu, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.02.2021**

The applicant has filed **Second Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 172/2019 registered at Police Station : Pratappur, District Surajpur (C.G.) for the offence punishable under Section 302 of the IPC.

The earlier bail application of the applicant was rejected by this Court on 11.06.2020 passed in MCRC No. 1993/2020.

As per the prosecution case, the allegation against the present applicant is that he pressed the neck of the deceased from behind and drowned him in the pond because there was a trifle of the amount of Rs. 500/- between them.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next contended

that there is no eye witness in this case and the case is based upon suspicion and doubt. He further added in his submission that there is a long time to conclude the trial and the applicant is in jail since 14.11.2019, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

On the other hand, State counsel opposing the bail application submits that looking to the nature and gravity of the crime, he may not be granted bail.

I have heard learned counsel for the parties and perused the record.

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

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

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