

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C (A). No. 1217 of 2021

Khaleed Khan S/o Shri Jaabir Khan, Aged About 38 Years, R/o Near Samlaya Mandir P.S and Tahsil -Ambikapur, District Surguja Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, P.S. Ambikapur, District Surguja Chhattisgarh.

---- Respondent

For Applicant	: Mr. N.K. Sinha, Advocate.
For State	: Mr. B.L. Shu, PL.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

24/09/2021

1. Applicant has filed second bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.924/2020 registered at Police Station –Ambikapur, District -Surguga, (CG), for the offence punishable under Sections 406, 407, 420, 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that first bail application of applicant was dismissed on merits vide order dated 23.03.2021 in which complaint dated 27.12.2020 (Annexure A-5) was not considered properly, hence, second bail application.
3. Learned State Counsel opposes the submissions made by learned counsel for applicant and submits that specific allegation has been leveled against applicant. Applicant is a transporter and on his truck 640 bags of cement were transported from Balodabazar to Daltangonj but not reached to its destination. Documents (Annexure A-5) was filed alongwith first anticipatory bail application, learned counsel for the applicant appeared therein and made his submissions in respect of said document. This Court after considering his submissions and Annexure A-5

dismissed the bail application on merits. Hence, this second bail application is not maintainable.

4. Heard learned counsel for the parties.
5. Considering the entire facts and circumstances of the case, nature of allegation, submissions of learned counsel for the parties, grounds raised by learned counsel for applicant that Annexure A-5 was not considered, para No.3 and 4 of the impugned order, I do not find it to be a fit case to entertain this second bail application.
6. Accordingly, anticipatory bail application is rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-