

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8272 of 2021**

- Mahesh Yadav S/o Late Pancharam Yadav Aged About 46 Years Caste Yadav, R/o Village Barpaali Chowk, Police Station Janjgir, District Janjgir Champa Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Janjgir District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant : Shri Arvind Shrivastava, Advocate

For Respondents/State : Shri Gagan Tiwari, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****29/10/2021**

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 08.01.2021 in connection with Crime No.13/2021 registered at Police Station Janjgir, District Janjgir-Champa (CG) for the offence punishable under Sections 294, 506, 384, 387 of Indian Penal Code and Section 25 & 27 of Arms Act.
3. The First Bail Application bearing M.Cr.C. No.2402 of 2021 was dismissed on 20.07.2021.

4. As per the prosecution case, on 07.01.2021 a report was lodged by Madan Lal Agrawal that the applicant came in front of his shop and shown him a revolver (desi katta), abused and demanded Rs.10 Lakhs or otherwise he would kidnap his grandson and threat was extended that after kidnapping he had to pay Rs.1 Crore otherwise he would kill his grandson. Thereafter the report was made.
5. Learned counsel for the applicant submits that earlier 8 cases were reported to the credit of the applicant out of which in 4 cases the applicant has already been acquitted, therefore, there is change of circumstances and this fact could not be brought before this Court when the earlier bail rejection order was passed, therefore, the applicant may be released on bail.
6. Per contra, learned State counsel opposes the prayer for grant of bail.
7. Acquittal in 4 cases out of 8 cannot be said to be the change of circumstances as it is the background of the applicant which was considered in the earlier point of time on 20.07.2021 when the bail application was rejected. In view of this, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu