

**(2018) 08 CHH CK 0103**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 5037 Of 2018

Rashid

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

**Date of Decision:** Aug. 7, 2018

**Acts Referred:**

- Indian Penal Code, 1860 - Section 34, 379, 467, 468, 471
- Code Of Criminal Procedure, 1973 - Section 439

**Hon'ble Judges:** Goutam Bhaduri, J

**Bench:** Single Bench

**Advocate:** Sunil Tripathi, Ashish Shukla

**Final Decision:** Dismissed

**Judgement**

Goutam Bhaduri, J

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 on 27.07.2017 in connection with Crime No.198/2017 registered at Police Station Gandhinagar, District - Surguja (CG) for the offence punishable under Sections 379/34, 467, 468, 471 IPC.

2. The First Bail Application was dismissed on merits on 09.03.2018 vide M.Cr.C. No.190/2018.

3. As per the prosecution case, a report was made by one Jitendra Pandey on 22/06/2017 that Bolero Vehicle bearing no.C.G.15B 6170 was stolen which was parked outside the house. Subsequently, police started investigation and the vehicle was recovered at Haiderganj, District Faizabad and the

colour of the vehicle was changed and efforts were made to change the chachis number.

4. Learned counsel for the applicant submits that the trial has still not completed and enormous delay is being caused and the applicant is in jail since

27.07.2017, therefore, he may be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail.

6. Considering the fact that the earlier bail application was dismissed on 09.03.2018 on merits, I do not find any change of circumstances to reconsider

this repeat bail application within a short span of time.

7. Accordingly, the second bail application is dismissed.