



IN THE HIGH COURT OF SIKKIM

ORDER SHEET

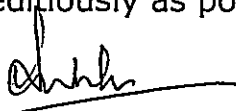
Bail Appln. No. 2 of 2008
Gyalsten Shenga Petitioner / Appellant

Versus

State of Sikkim Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
01.	11.07.2008	<p>Present: Mr. Jorgay Namka and Ms. Zola Megi, Advocates for the Accused-Petitioner. Mr. Karma Thinlay, Additional Public Prosecutor for the State-Respondent.</p> <p>-----</p> <p>Heard.</p> <p>A perusal of the bail application shows that four bail applications in all were moved before the learned Sessions Judge, East & North at Gangtok and all of them were rejected on merit after hearing. This application which is the first one before this Court is thus the fifth one in the series of the applications made by the accused-petitioner thus far. Admittedly, there is no new development or any substantial change in the fact situation of the case after the rejection of previous bail applications and till the filing of the present application. It is settled law, as laid down by the Hon'ble Supreme Court, in State of Maharashtra vs. Buddhikota Subba Rao reported in AIR 1989 SC 2292 that no accused can be admitted to bail in the absence of any substantial change in the fact situation of the case after rejection of the previous bail application/s.</p>	<p>Copy of the order dated 11.07.08, Sent to the Court of the Sessions Judge (E/N) & C.J.M (E/N) on 11.07.08.</p> <p><i>[Signature]</i> 11/7/08</p>



of ler	of Order	Order with Signature	Office Note as to action (if any) taken on Order
		<p data-bbox="305 336 1177 433">In view of the above, the present bail application is rejected.</p> <p data-bbox="305 457 1177 730">It is, however, submitted by the learned Additional Public Prosecutor that charge sheet in the case has now been filed. In view of this, the Court below is directed to hold day to day trial so as to dispose of the matter as expeditiously as possible.</p> <div data-bbox="649 706 1047 913"> (Justice A. P. Subba) Acting Chief Justice <small>11-07-2008</small></div>	