

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 3175 of 2016**

1. Rajendra Mahilang, S/o. Shri Dharamdas Mahilang, aged about 39 years, R/o. Anant Vihar Colony Mova, P.S. - Mova, District-Raipur (C.G.)

**----Applicant**

**Versus**

1. State of Chhattisgarh, Through : Station House Officer, P.S.- Civil Lines, District- Raipur (C.G.)

**---- Respondent**

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For Applicant : Ms. Pritha Ghoshal, Advocate

For Respondent/State : Ms. K. Tripti Rao, Panel Lawyer

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**30/06/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.274/2015, registered at Police Station – Civil Lines, District- Raipur (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a complaint was made by Chaitram Sahu that while he was standing near hospital, at that time, the present applicant came in motor cycle and asked for change of Rs.2000/- and when the complainant took out the note to give him change, the applicant snatched the money and run away. Subsequently he was arrested and he was identified. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that on earlier occasion the applicant was charge for the similar nature of offence but he was

acquitted and he is government contractor. It is further submitted that the applicant is in jail since 12.05.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that as many as four cases are registered against this applicant and out of which under Crime No.361/2010 and Crime No.101/12, similar like nature of cases were registered, therefore, considering the back ground, the applicant may not be released on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the judgment dated 27.11.2014, 11.08.2014, 20.03.2013 and 10.05.2013, wherein similar like nature of offence were registered against this applicant and the applicant was acquitted. Considering the background of this case and the nature of evidence available against this applicant and specially when like nature of offences are to the credit of applicant where in applicant was acquitted on benefit of doubts. Taking into past background and facts of the case, which is almost similar, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge