

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6221 of 2016

- Gajanand @ Gajja Nishad S/o Shyam Lal Nishad Aged About 32 Years R/o Rajendra Nagar, Behind Pump House, Police Station Civil Line, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Suresh Kumar Verma, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27-10-2016

1. This is the first 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 30-3-2016 in connection with Crime No. 215 of 2016, registered at Police Station Civil Line, District Bilaspur (CG) for the offence punishable under Sections 452, 354, 506 of the IPC.
2. As per prosecution case, on 28-3-2016 present applicant followed the victim girl, went inside her house and thereafter caught hold of her hands and tried to outrage her modesty. The applicant in the past also had done same act with the victim girl and after he was arrested and released, again he has repeated the similar nature of offence, therefore, the aforesaid offence has been committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, he is in jail since 30-3-2016, charge-sheet in this case has been filed and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail and would submit that apart from this case as many as 13 cases are registered against the applicant under different Sections of IPC and Cr.P.C., therefore he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and have also perused the list along with case diary and the documents which would show that show that 13 cases under different Sections of IPC & Cr.P.C., are registered against the applicant and the allegations against the applicant are that he repeated the similar nature of offence.
6. Taking into consideration the facts and circumstances of the case, considering the fact that against the present applicant 13 cases are to his credit and further considering the past antecedents of the applicant, this court is not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju