

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6522 of 2018**

Vinay Malik, S/o Lt. Rajendra Malik, aged about 19 years, R/o Babu Upnagar
Near Lakhani Mandir, P.S. Torwa, Tahsil and District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station 6522 Tarbahar, District
Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate

For Non-applicant : Mr. Ashok Kumar Swarnakar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****24.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the applicant in connection with Crime No.56/2018 registered in Police Station Tarbahar, District Bilaspur for the offence punishable under Sections 392/34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 19.02.2018 at about 7:05 am at near Durga Pandaal of Vinoba Nagar, Bilaspur, applicant and juvenile co-accused Sunny Vishwakarma reached there by motor-cycle and snatched one golden chain from the neck of the complainant Leela Jain. On the basis of memorandum of accused Vinay Malik recorded in Crime No.251/2018 at Police Station Sarkanda, one golden chain was seized from him, which was identified by said complainant.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State would oppose the prayer for grant of bail to the applicant and submit that 07 criminal cases, out of

which, 05 under of IPC, one under of Arms Act and one under of CrPC Act have already been registered against the applicant hence he is not entitled for grant of bail.

6. I have heard counsel appearing for the parties and perused the case diary with utmost circumspection.

7. Looking to the facts and circumstances of the case and looking to this fact that 07 criminal cases have already been registered against the applicant, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.

8. Consequently, the bail application is rejected.

9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-