

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 12 of 2019**

Rupesh Giri, S/o Toran Giri Goswami, aged about 22 years, R/o Village Dharashiv, Police Station Pamgarh, Civil and Revenue District Janjgir Champa (CG).
---- Applicant

Versus

State of Chhattisgarh, Acting through Officer-in-charge, Police Station Saragaon, Civil & Revenue District Janjgir Champa (CG). - **Non-applicant**

For Applicant : Mr. K.A. Ansari, Sr. Advocate with Mr. Ramesh Nayak, Advocate

For Non-applicant : Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.119/2018 registered in Police Station Saragaon for the offence punishable under Section 25 of the Arms Act.
3. Case of the prosecution, in brief, is that on 15.11.2018 at Kunwachowk Saragaon, Sub Inspector Chandan Singh posted at Police Station Saragaon seized 01 long knife from the possession of the applicant.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case. He further submits that seizure witnesses have been turned hostile in the trial Court and as such he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail. He further submits that 11 criminal cases, out of which, 08 cases under of Cr.P.C. and 03 cases under of Indian Penal Code have already been registered against the applicant.
6. Looking to the aforesaid facts and circumstances of the case, looking to this fact that 11 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. Consequently, the bail application is rejected.
7. Certified copy as per rules.

SD/-
 (Sharad Kumar Gupta)
JUDGE