

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1101 of 2019**

Badal Behra, son of Ashok Behra, aged about 24 years, R/o Near Anil Kirana Stores, Behra colony, Pandri, P.S. Civil Line, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Civil Lines, District Raipur (CG).

---- Non-applicant

For Applicant : Mr. Anchal Kumar Matre, Advocate

For Non-applicant : Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.02.2019**

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.601/2018 registered in Police Station Civil Line, District Raipur for the offence punishable under Sections 294, 323, 327, 452/34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that complainant Smt. Asha Dongre is a resident of village Pandri, Raipur. On 14.09.2018 at about 3:00 p.m., the whitewash was going in her house, at that time, the applicant and co-accused persons namely Jafar and Shankar reached there when one labour Sumant Behra did not give the chair to him for seating, the applicant beat him and also abused him. When the said complainant intervened the applicant, the applicant abused her also and ready to beat her. The applicant and other said co-accused persons entered in the house of the said complainant. The applicant twisted her hand and shown knife and demanded money for consuming liquor.
4. Counsel for the applicant submitted 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 opposed the bail application. He submitted that 07 other criminal cases, out of which, 05 cases under IPC and 02 cases under CrPC have already been registered against the applicant in police case.
6. Looking to the facts and circumstances of the case, looking to this fact that 07 other criminal cases have already been registered against the applicant, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, 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