

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1027 of 2019**

Bappi Sav, aged about 26 years, S/o Shri Krishna Sav, R/o village Bhainsa,
P.S. Kharora, District (Revenue & Civil) Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Kharora,
District Raipur (CG). **---- Non-applicant**

For Applicant	: Mr. Yogesh C. Pandey, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.02.2019

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.320/2018 registered in Police Station Kharora, District Raipur for the offence punishable under Sections 186, 332, 506, 307 of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 12.09.2018, the applicant abused the complainants Vishnu Prasad Verma, Head Constabl and Neeradhar Kunjam, Constable. The applicant caused injury on the head of complainant Vishnu Prasad Verma by Pepsi bottle. As per MLC report, one abrasion was found on his head, which was simple in nature.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case. He further submitted that the said complainants demanded the money from the applicant and beat him and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. She submitted that 15 criminal cases, out of which, 05 cases under IPC, 01 case under Excise Act, 02 cases under Gambling Act, 01 case under EC Act and 06 cases under CrPC have already been registered against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to this fact that 15 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