

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1214 of 2019**

Joga Telam, S/o Lakhma, aged about 39 years, R/o Village Jhirka, Police Station Bhansi, District Dantewada (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Dantewada, District South Bastar Dantewada (CG). **---- Non-applicant**

For Applicant : Mr. Shrawan Agrawal, Advocate
For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.03.2019

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.54/2015 registered in Police Station Dantewada, District South Bastar Dantewada for the offence punishable under Sections 147, 148, 149, 341, 435, 506-II, 395 of IPC, Sections 25 & 27 of Arms Act and Section 8(1)(3)(5) of Chhattisgarh Special Public Security Act, 2005.
3. Case of the prosecution, in brief, is that on 20.05.2015 at about 18:10 hrs. at Railway OHE Pole 407/11-21 Tudparas, the applicant along with 60-70 Naxalites having bow and arrow and bunda stopped three Tippers and one Dozer Vehicle of SEW Infra Structure Limited and broke the light of said vehicles and broke the diesel tank and set the fire on them. They threatened the Supervisors and drivers of the said vehicles to kill and they caused damage of Rs.1 crore 45 lakhs.
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 applicant is in jail since 2 years and 9 months.
5. On the other hand, counsel for the State opposed the bail application. However, he submitted that 25 criminal cases have already been registered against the applicant in police case diary.
6. At this stage, counsel for the applicant submitted that the applicant has already been acquitted in all criminal cases except one criminal appeal.
7. Looking to the above facts and circumstances of the case, looking to this fact that 25 criminal cases have already been registered against the applicant, looking to the seriousness of the alleged offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to grant bail to the applicant. Consequently, the bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of case as early as possible from the date of receipt of certified copy of this order.
8. Certified copy as per rules.

SD/-
(Sharad Kumar Gupta)
JUDGE