

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1391 of 2019**

Sohel Quraishi @ Chhota Monu, son of Salim Quraishi, aged about 19 years,
R/o Opposite Masjid, Kashiram Nagar, Telibandha, District Raipur (CG).

---- Applicant**Versus**

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

---- Non-applicant

For Applicant	: Ms. Sunita Sahu, Advocate
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

02.04.2019

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.580/2018 registered in Police Station Telibandha, Civil and Revenue District Raipur for the offence punishable under Sections 457 & 354 of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 16.11.2018 the prosecutrix was aged about 21 years. She is a resident of village Telibandha, Raipur. Since back two years, the applicant was stalking to her. On 16.11.2018 at about 9:30 p.m., the applicant had entered in her house and tried to pull her outside.
4. Counsel for the applicant submitted that the applicant has not committed any offence and he is an innocent person. She further submitted that there was love affair between the applicant and prosecutrix and quarrel has taken place between them thus the applicant has been falsely implicated in the present case and as such he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. However, he submitted that six criminal cases, out of which, three under IPC, two under Arms Act and one 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 six 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