

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2558 of 2019**

Prafull Dahire, aged about 19 years, son of Shri Rahas Lal Dahire, R/o Majhwapara, Jarhabhatha, Bilaspur, P.S. Civil Line, Tahsil and District Bilaspur (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Civil Line, District Bilaspur (CG).
---- Non-applicant

For Applicant	: Mr. Jitendra Shukla, Advocate
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

02.05.2019

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.81/2019 registered in Police Station Civil Line, District Bilaspur for the offence punishable under Sections 147, 148, 341, 294, 323, 452, 427, 506 of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 02.02.2019 at about 8:00 p.m. at Kumharpara, Bilaspur, applicant and co-accused Sumit Jogi, Lokesh Kare and Sonu Banjara beat complainant Pradeep Ratre by wooden clubs and bricks. When the complainant's wife Smt. Kalyani Ratre intervened them, the applicant and co-accused twisted her hand and pressed her throat. Thereafter, applicant and co-accused entered in the house of complainants Pradeep Ratre and Smt. Kalyani Ratre and damaged their sofa chair and auto.
4. Counsel for the applicant submitted that applicant has no criminal background, he is an innocent and has been falsely implicated in the present case, therefore he shall be released on bail.
5. On the other hand, counsel for the State opposed the bail application and submitted that 16 other criminal cases, out of which, 12 cases under IPC, 01 case under Gambling Act and 03 cases under CrPC have already been registered against the applicant in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 16 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