

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3026 of 2019**

Ramesh Kumar Patel, S/o Sampat Lal Patel, aged about 35 years, R/o Signasar, P.S. Sakti, District Janjgir-Champa (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Sakti, District Janjgir Champa (CG). **---- Non-applicant**

For Applicant	: Mr. Basant Dewangan, Advocate
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.05.2019

1. This is second 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.659/2018 registered in Police Station Sakti, District Janjgir Champa for the offence punishable under Sections 452 & 354 of Indian Penal Code.
3. Earlier, the first bail application was dismissed as withdrawn by this Court vide order dated 15.03.2019 passed in M.Cr.C. No.1554/2019.
4. Case of the prosecution, in brief, is that on 13.11.2018 the prosecutrix was aged about 19 years old. She is resident of village Signasar. On 13.11.2018, the applicant entered in her house and used to criminal force upon her body to outrage her modesty.
5. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case and as such he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that four other criminal cases, out of which, three cases under CrPC and one case under Excise Act have been registered against the applicant in police case diary.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that four other criminal cases have 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 second bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE