

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9542 of 2018

- Jaykishan Rajput @ Poltu S/o Rajeshwar Rajput Aged About 22 Years R/o Village Umariya Tahsil And Police Station Bilha ,district Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Masturi District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant	: Shri D.G. Kela, Advocate.
For Non-applicant	: Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

04.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 346/2018 registered at Police Station – Masturi District Bilaspur Chhattisgarh for the offence punishable under Sections 457, 380 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the complainant Surjit Burman was running a mobile shop in village Tikari. In the intervening night of 18/19-08-2018, 38 mobiles, cash Rs. 8500/- have been stolen by some unknown persons. On the memorandum of applicant 5 mobiles have been seized from him. IMEI No. of one mobile is found to be matching with the IMEI No. of one seized mobile.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submits that four other criminal cases have been registered under IPC against the applicant.
6. Counsel for the applicant further submitted that all the other criminal cases have been registered after registration of this case. He is already bailed out in one case.
7. Looking to the facts and circumstances of the case, looking to the fact that four other criminal cases have been registered against the applicant, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE