

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9816 of 2018

Santosh Sonkar @ Baba Khatik, S/o Balram Khatik, aged about 35 years, R/o Kodu Chbowk, Karbalam Juna, Bilaspur P.S. City Kotwali Tahsil and District Bilaspur (CG).
---- Applicant

Versus

State of Chhattisgarh, through P.S. City Kotwali, Bilaspur (CG). **---- Non-applicant**

For Applicant	:	Mr. Faiz Kazi, Advocate
For Non-applicant	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

17.01.2019

1. This is first bail application filed 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.463/2018 registered in Police Station City Kotwali Bilaspur for the offence punishable under Section 25 of Arms Act.
3. Case of the prosecution, in brief, is that on 27.10.2018 at about 21:30 hrs at Kodu Chowk, Bilaspur, the applicant was roaming along with dagger. It was seized from him.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. Counsel for the State would oppose the prayer for grant of bail. He would further submit that 34 criminal cases, out of which, 16 under Gambling Act, 7 under IPC, 7 under CrPC, 1 under Excise Act, 2 under Arms Act and 1 under NDPS Act have already been registered against the applicant.
6. At this stage, counsel for the applicant would submit that most of the registered cases, the applicant has already acquitted and there is a overwriting in seizure memo hence he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to this facts that 34 criminal cases have already been registered against the applicant, 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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-