

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10039 of 2018**

Kumbhaj S/o Bhaggu Aged About 25 Years R/o Tifra, Police Station
Sirgitti, Tahsil And District- Bilaspur, Chhattisgarh., District : Bilaspur,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Sirgitti, Civil And Revenue District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri C.K. Sahu, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**22/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.327/2018 registered at Police Station Sirgitti, District Bilaspur (C.G.) for the offence punishable under Section 380, 457 of IPC.
3. Case of the prosecution, in brief is that during 18/08/2018 to 23/08/2018 at Tifra Bilaspur, from the house of complainant Har Kumar Sahu some unknown person stolen one pair silver anklet, 5 silver coins of worship, Rs. 2800/-, PAN Card, Aadhar Card, ATM Card and license. On the memorandum of applicant one pair of silver anklet, 5 silver coins of worship, Rs. 490/-, 2 ATM Cards, 1 Smart Card were seized from him.
4. Aforesaid seized articles have been given to said complainant on Supurdnama by the trial Court.
5. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that 7 other criminal cases have been registered against the applicant, out of which four under IPC and 3 under CrPC.
7. Looking to the facts and circumstances of the case, looking to this fact that seven other criminal cases have been registered against the applicant, this Court is not inclined to get the benefit under Section 439 of CrPC to the applicant. Accordingly, bail application is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge