

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9835 of 2018**

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

---- Applicant

Versus

State Of Chhattisgarh Through Stationhouse 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. Case diary not produced. Charge-sheet submitted by the counsel for application for perusal of the Court in connection with the Crime No. 328/2018 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 between 28/06/2018 to 13/07/2018 at Shanti Nagar, Tifra from the house of complainant Gulab Singh 30 tolas silver anklets cash of Rs.10,000/-, one mobile were stolen by some unknown person. On the memorandum of applicant 1 pair silver anklet weight 30 tolas, one mobile of Intex company were seized from him.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. 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.
6. 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