

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9832 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 The Station House Officer, Police Station Sirgitti, 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. Perused the charge-sheet provided by the counsel for the applicant in connection with the Crime No.320/2018 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 21/08/2018 to 22/08/2018 at Yadav Nagar, Tifra from the rented house of complainant Churawan Lal Sahu Rs. 11,500/- cash, golden ear tops, silver anklet, golden locket, waist chain, Aadhar Card, ATM Card, PAN Card, Smart Card were stolen by some unknown person. On the memorandum of applicant cash of Rs. 6195/-, one pair ear tops, one golden locket, two pairs silver bangles, one pair of silver anklet, one silver waist chain, Aadhar Card, Smart Card, ATM Card had been 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

Kamde