

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3462 of 2015**

Jageshwar, S/o Geeta Maheshwari, aged about 30 years, R/o Ward No.05, Pandariya (Gandai), Tahsil-Chhuikhadan, Civil & Revenue District Rajnandgaon (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through: The Station House Officer,
Police Station -Gandai, District Rajnandgaon (C.G.)

-----Non-applicant

For Applicant:	Mr. Abhishek Sharma, Advocate.
For Respondent/State:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.125/2015 registered at Police Station Gandai, District Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 5.4 bulk liters of illicit liquor.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case as he has not committed any offence, and therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that some cases are already registered against the present applicant in relation to the excise & other offences and, therefore, the applicant is not entitled for regular bail.

(5) Considering the totality of the facts, in particular, the criminal antecedents of the applicant; and in view of the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-