

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3492 of 2015**

- Sanjay Sharma, aged about 38 years, S/o Shri Late Shri Tejpal Sharma, R/o Jyoti Nagar, Kota, P.S.-Saraswati Nagar, Raipur, District -(Revenue & Civil)- Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: P.S. Lormi, Revenue Distt.- Mungeli, Civil Distt. Bilaspur (C.G.)

---- Non-Applicant

For Applicant: Shri Yogesh Pandey, Advocate.
For Non-Applicant/State: Smt. Anusuiya Rajput, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/07/2015**

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.114/2015 registered at Police Station Saraswati Nagar, Raipur, District Raipur 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 7.56 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 three 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/-