

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5808 of 2015

Ramlal S/o. Baluram Chandel, aged about 40 Years, R/o Jarway,
Police Station- Ranchirai, Civil and Revenue District Balod (C.G.)
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police of
Police Station Ranchirai District Balod (C.G.)

---- Respondent

For Applicant	:-	Mr. B.P. Singh, Advocate
For Respondent /State	:-	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

14/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 88/2015, registered at Police Station – Ranchirai, District- Balod (C.G.) for the offence punishable under Sections 34(2) of Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 49.200 bulk liters and he was arrested on 03.10.2015.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 03.10.2015; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail and submits that the applicant has previous antecedents as he was already involved in similar nature of offence. It is submitted that in the year 2014 itself one crime bearing No. 67/2014 and in the year

2015 two crimes bearing No. 37/2015 and 45/2015 were already registered under the Excise Act.

5. Considering the fact that one case under the Excise Act is still pending and again within a short span of time similar nature of crime have been committed in the year 2014 and 2015 itself, I am of the opinion, if the applicant is enlarged on bail again he would commit the similar offence. Therefore, taking into repetition of the crime, I am not inclined to allow this bail application.
6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE

Santosh

(Goutam Bhaduri)

Judge

santosh