

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6191 of 2015

1. Ravi Sahu, aged about 28 years, S/o. Late Raju Sahu, Occupation- Labour, R/o. Gandhinagar, Kalibadi, P.S. - Kotwali, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Golebazar, Raipur District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. A.K. Kuldeep, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/11/2015

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.158/2015, registered at Police Station – Golebazar, District – Raipur (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.
2. The prosecution alleges that on 17.10.2015, the applicant was found to be in possession of illicit liquor measuring about 5.400 bulk liters and he was arrested on 17.10.2015.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any offence. He would further submit that the liquor was not seized from the possession of the applicant. He would further submit that the applicant is in jail since 17.10.2015. He would further submit that looking to the quantity seized, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that in the year 2015 itself, a case has been registered for keeping possession of 8.648 bulk liters of liquor and the case is pending and during the bail, he has again committed the offence, therefore, he prayed that the applicant may not be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that the applicant has involved in the repeated commission of offence in the similar nature after grant of bail, therefore, I am not inclined to allow this application.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge