

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6848 of 2015

- Alkhram Vishvkarma S/o Ramesh Thakur Aged About 30 Years Wrongly mentioned as Rajkumar, Cast- Lohar, R/o Village Khallari, Thana- Bhimkhoj, Tahsil / District- Mahasamund (Chhattisgarh). --- **Petitioner**

Versus

- State Of Chhattisgarh Through: The Excise Officer, Excise Circle- Mahasamund, District- Mahasamund (Chhattisgarh).

---- **Respondent**

For the applicant	:	Mr. Vikas Pradhan, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 205 of 2015 registered at P.S. Excise Circle Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 12.060 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 19.11.2015. and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he submits that the concerned SHO has reported that the applicant has past antecedents as in current year of 2015 itself, two cases of similar nature under

the Excise Act have been registered against the applicant.

5. Considering the fact that in the year 2015 itself, two cases were registered against the applicant under the Excise Act which are still pending and again within a close proximity of time, he repeated the similar nature of offence which was registered as Crime No. 205/2015, I am of the opinion that if the applicant is released on bail, again he would again commit the offence.
6. Taking into consideration the past antecedents, I am not inclined to release the applicant on bail. Accordingly, this bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**