

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6913 of 2015

Chandrakant son of Shri Shambharam Bagday, aged about 35 years,
resident of village Tainga, P.S. Devari, District Balod (C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, P.S. Devari, District
Balod (C.G). ... **Respondent**

For the applicant	:	Mr. Vipin Tiwari, Advocate.
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 212 of 2015 registered at Police Station Devari, District Balod (CG) for the offences punishable under sections 34(2) of the Excise Act.
2. As per the prosecution case, when a raid was conducted by the police on 23.09.2015, 6.660 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and he is in jail since 23.09.2015. He prays for releasing the applicant on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that the concerned SHO has reported that the applicant has past incidents as earlier in the year 2002, two cases of similar nature were registered; again in the year 2014 two more cases and in the year 2015 itself another crime bearing No. No.172/2015 was registered.
5. Taking into the past antecedents of the applicant and the fact that within a close proximity of time, the applicant has repeated the

offence in the year 2015 itself which is registered as present Crime No. 212 of 2015, I am of the opinion that if the applicant is released on bail, he would again commit similar nature of offence. Therefore, I am not inclined to release him on bail. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao