

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3803 of 2015

- Harishchandra Yadav, S/o Shivcharan Yadav, aged about 29 years, Resident of village-Gatapar Abhanpur Police Station-Abhanpur, District Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through it's Police-Station-Abhanpur Raipur, Civil & Revenue District – Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Rekhraj Baghel, Advocate.
For Non-applicant/State: Mr. Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/08/2015

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. 41/2015 registered at Police Station Abhanpur, Raipur, Civil & Revenue Distt.- Raipur for the offences punishable under Section 34-A(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was

found in possession of 12.240 bulk liters of illicit liquor.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case, and therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that 12 cases are already registered against the present applicant in relation to various 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/-