

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7048 of 2015

Virendra Kumar Sharma, S/o Satveer Sharma, Aged About 40 Years,
Caste – Brahman, R/o Village Navagaon, Thana – Bhimkhoj, District –
Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Excise Officer, Excise Circle -
Mahasamund, District – Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikash Pradhan, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.216/2015 registered at Police Station- Excise Circle Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution, on 16.11.2015 from the possession of the applicant an illicit country made liquor measuring about 5.760 bulk liters was seized.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and no seizure was made from the possession of the applicant and he is in jail since 16.11.2015; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail and he would submit that as per the information received from the

concerned SHO, one another case of Excise Act was registered against the applicant in the year 2015 itself, which was bearing Crime No.18/2015.

5. Considering the fact that within a short proximity of time similar nature of offence has been committed by the applicant in the year 2015, therefore, considering his past antecedents, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge