

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3111 of 2015**

Kheduram Ratre, S/o Sukhram, aged about 36 years, by
caste Satnami, R/o Village Nimbhatha, Police Station
Baloda, District Janjgir-Champa (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer,
Police Station: Baloda, Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant:	Shri Gurudeo I. Sharan, Advocate.
For Respondent/State:	Shri Om. P. Sahu, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/07/2015**

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. 97/2015 registered at Police Station Baloda, Distt. Janjgir-Champa for the offences punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 8.64 bulk liters of illicit liquor.

(3) Learned counsel for the applicant submits that the applicant is the innocent person and he 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 opposes the bail application and submit that applicant has past criminal antecedents and, therefore, he is not entitled to be released on bail.

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to criminal antecedents of the applicants; 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/-