

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3564 of 2015

- Santosh Rao Maratha, aged about 34 years, son of Babulal Maratha, resident of Village-Pondi, Police Station-Ratanpur, Civil and Revenue District -Bilaspur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through the Excise Officer, Excise Circle, Kota, District Bilaspur (C.G.)

---- Respondent

For Applicant: Shri Goutam Khetrapal, Advocate.
For Respondent: Shri S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/07/2015

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.48/2015 registered at Police Station Excise Circle, Kota, District - Bilaspur for the offences punishable under Sections 34(1)(A), 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 16.2 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 seven cases are already registered against the present applicant in relation to the excise offences and, therefore, he 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/-