

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3499 of 2015**

Suresh Kumar Shukla, S/o. Shri Ramsuhawan Shukla, aged about 40 years, R/o. Dindayalpuram, Balaghat, Thana, Tahsil Balaghat, District Balaghat (M.P.)

---- Applicant**Versus**

State of Chhattisgarh, Through Officer-in-Charge, Police Station Kansabel Revenue and Civil District Jashpur (C.G.)

---- Non-applicant

For Applicant	:	Shri Mahendra Nath Dubey, Advocate
For Non-applicant	:	Shri Vivek Singhal, Panel Lawyer for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****10/07/2015**

Heard on admission.

(1) This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 24.01.2015 in connection with Crime No.17/2015 registered at Police Station Kansabel, Revenue and Civil District Jashpur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) The first bail application was dismissed as withdrawn with liberty to file bail application after filing of the charge-sheet and examination

of the material prosecution witnesses.

(3) Case of the prosecution, in brief, is that, the present applicant was found in possession of 81.760 bulk liters of illicit liquor.

(4) Learned counsel appearing for the applicant submits that the applicant has been falsely implicated in the case and the applicant is in jail since 24.01.2015 and the charge-sheet has already been filed, therefore, he is entitled to be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) I have heard learned counsel for the parties and perused the case diary.

(7) Taking into consideration the facts and circumstances of the case and further taking into consideration the provisions contained in Section 59-A(ii) of the Chhattisgarh Excise Act and quantity of liquor seized from the possession of present applicant and considering the statement of two prosecution witnesses, I do not consider it a fit case to entertain the second bail application, therefore, the second bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the same preferably within a period of three months from the date of receipt of copy of this order.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-