

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3552 of 2015**

Vijay Singh, S/o. Shri Angad Singh, aged about 53 years, R/o. Village Korra, P.S. Sariya, Tahsil Sarangarh, District Raigarh, Civil and Revenue District Raigarh (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through: The Station House Officer, Police Station -Sariya, District-Raigarh (C.G.)

---- Respondent

For Applicant:	Mr. Vivek Kumar Tripathi, Advocate.
For Respondent/State:	Mr. Lov Sharma, 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.68/2015 registered at Police Station Sariya, Distt. Raigarh for the offence punishable under Sections 34(1)(a) and 59(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 7.00 bulk liters of illicit liquor.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case as he has not

committed any offence, and therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that one case is already registered against the present applicant in relation to the excise offence and, therefore, the applicant is not entitled for regular bail.

(5) Taking into consideration the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and the previous criminal antecedent being Criminal Case No.905/2001; applicant is absconding and standing warrant of arrest has been issued against him since 2002 by the competent criminal court on 15.12.2001; 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/-