

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5413 of 2015**

Deepak Gupta, S/o Rakesh Gupta, aged about 27 years,
R/o-Near R.K. Mill, Ganjpara, Post Office-Raipur, Police
Station -Ganj, Raipur, Tahsil & District – Raipur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh through: Station House Officer,
Police Station -Ganj, Raipur, District -Raipur (C.G.)

---- Non-applicant

For Applicants: Shri Shivendu Pandya, Advocate
For Respondent/State: Shri Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/10/2015**

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. 80/2015 registered at Police Station – Ganj, Raipur, District -Raipur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 28.440 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.

(3) On the other hand, learned counsel for the State submits that three cases are already registered & pending against the present applicant in relation to the excise offence and, therefore, he is not entitled for regular bail.

(4) 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/-