

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1462 of 2016**

Akash Yadav, Aged about 23 years, S/o Bhagwat Yadav,
R/o Adwani Colony, Near Vinu Petrol Pump, Birgaon,
Raipur, Tehsil & Distt.- Raipur (C.G.)

---- Applicant

Versus

The State Of Chhattisgarh Through District Magistrate,
Raipur (C.G.)

----Non-applicant

For Applicant: Mr. Vikram Singh , Advocate.
For Non-applicant/State: Mrs. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/03/2016**

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. 09/2016 registered at Police Station Urla, District Raipur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 5.76 bulk liters of illicit liquor was seized by the police from the present applicant.

(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 several cases are registered & pending against the present applicant in relation to the Indian Penal Code & 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.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-