

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1333 of 2016**

Bisahat Ratre, S/o. Late Jhadiya, aged about 60 years, R/o. Village Nakti, Police Station Mana, Tahsil and Civil and Revenue District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Police of Police Station Mana Camp, District Raipur (C.G.)

----Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/03/2016**

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. 151/2015 registered at Police Station Mana Camp, District Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 5.40 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 11 cases are registered & pending against the present applicant in relation to the provisions of CrPC whereas three cases are registered and pending against him in relation to the provisions of Indian Penal Code & one case is registered & pending against him in relation to the provisions of excise offence and, therefore, the applicant 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/-