

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2584 of 2016**

Gangaram Sarthi S/o Dharam Singh Sarthi Aged About 35 Years R/o
Village Dhanagar, P.S. Kotra Road, District Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Excise Circle, North District
Raigarh, Chhattisgarh.

---- Respondent

For Applicant:	Mr. Sumit Shrivastava, Advocate
For State:	Mr. Neeraj Jain, Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.06.2016**

This is the first Application filed under Section 439 of CrPC for grant of bail to the Applicant who has been arrested on 04.04.2016 in connection with Crime No. P-8 No. 1/16-17 registered at Police Station – Excise Circle, North Raigarh for the offences punishable under Sections 34(1)(A), 34(2) & 59(A)(1)(2) of the Chhattisgarh Excise Act.

(2) The allegation against the present Applicant is that he was found in possession of 36 bulk litres of country made liquor at his house.

(3) Learned Counsel for the Applicant submits that the Applicant has been falsely implicated in the instant case as no liquor was seized from his exclusive possession and that the Applicant is in jail since 04.04.2016, he may be released on bail.

(4) Learned counsel for the State, however, opposes the bail application on the ground that the Applicant was found to be in unlawful possession of 36 bulk liters of country made liquor. There are direct

past antecedents by the present Applicant, more than 7 cases under the Excise Act at regular interval have been leveled against him which shows that the Applicant is habitual offender, therefore, he shall not be released on bail.

(5) Considering the nature of offence and allegation against the present Applicant keeping in view the direct past antecedents, this Court is not inclined to grant bail to the present Applicant.

(6) Accordingly, the instant Bail Application is rejected.

Sd/-
(P. Sam Koshy)
V.JUDGE