

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.4047 of 2016**

Suresh Nishad, S/o Shri Budhh Nishad, aged about 45 years,  
R/o Village Jamghat, Police Station & Tahsil Berla, Civil and  
Revenue District Bemetara (CG). **---- Applicant**

**Versus**

State of Chhattisgarh, through Police Station Berla, Civil and  
Revenue District Bemetara (CG).

**---- Non-applicant**


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For Applicant : Shri Vaibhav A. Goverdhan, Advocate  
For Non-applicant : Shri Sameer Behar, Panel Lawyer

**Hon'ble Shri Justice Sanjay K. Agrawal**  
**Order On Board**

**07/07/2016****(1)** Heard.

**(2)** This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 27.02.2016 in connection with Crime No.41/2016, registered at Police Station Berla, District Bemetara, for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act, 1915.

**(3)** The applicant's first bail application was dismissed as withdrawn with liberty to file the bail application after disposal of two criminal cases relating to excise offence by order of this Court dated 17.03.2016 passed in M.Cr.C. No.1647 of 2016.

**(4)** This second bail application has been filed without disposal of criminal case relating to excise offence and, as such, the second bail application cannot be entertained in terms of para-1 of the order dated

17.03.2016.

**(5)** The applicant is free to file bail application in terms of para-1 in the order dated 17.03.2016.

**(6)** The second bail application as framed and filed is dismissed reserving liberty in favour of the applicant.

**(7)** Certified copy as per rules.

Sd/-  
**(Sanjay K. Agrawal)**  
Judge

L/-