

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6827 of 2015

Salikram Sinha S/o. Late Hariram Sinha, Aged About 46 Years, R/o Village Dangarh, Police Station Ambagarh Chowki, Tahsil Mohla, Civil and Revenue District Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police of Police Station Ambagarh Chowki, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	:-	Mr. Samir Singh, Advocate
For Respondent/ State	:-	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

05/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 246/2015 registered at Police Station- Ambagarh Chowki, District Rajnandgaon (C.G.) for the offence punishable under Sections 34(2) of C.G. Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 10.260 bulk liters of foreign liquor and he was arrested on 13.11.2015.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 13.11.2015; therefore, he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that the applicant has previous antecedents as he was already involved in similar nature of offence. It is submitted that in the year 2014 two cases has been registered under the excise Act and in the year 2015 itself two cases was already registered under the Excise Act which is still pending against the present applicant.
5. Considering the fact and the past antecedences of the applicant as he was involved in the similar nature of offence under the Excise Act and again within a short span of time similar nature of crime has been committed in 2015 itself, I am of the opinion, if the applicant is enlarged on bail again he would commit the similar offence. Therefore, taking into repetition of the crime, I am not inclined to allow this bail application.
6. Accordingly, the bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge