

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3138 of 2016

Nanu Tandi, S/o. Shri Bhagirathi Tandi, Aged About 42 Years, R/o. Motilal Nagar, Kota, Police Station Saraswati Nagar, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Saraswati Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. C.R.Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/06/2016

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.34/2016 registered at Police Station Saraswati Nagar, Raipur, (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution case, on 18.03.2016, on a raid being made from the possession of the applicant total 6.300 bulk liters of illicit liquor was recovered.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he was not in possession of the liquor. He further submits that the charge sheet has been filed and the applicant is in jail since 18.03.2016; therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit as per the information as many as 19 cases were registered against the applicant under different sections of I.P.C. & Cr.P.C. including the Arms Act, therefore, he may not be released on bail.
5. Perused the case diary and the documents. Considering the cases pending against the applicant as 19 cases were registered under the different sections of I.P.C. & Cr.P.C. and further considering the background of this applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge