

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3262 of 2016

1. Chhotu @ Ashutosh Bhandulkar, S/o. Late Shri Dharurao Bhandulkar, aged about 35 years, R/o. Madam Chauk, Police Station – Gobara Nawapara, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Gobara Nawapara, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. S.C. Verma, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/07/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.17/2016, registered at Police Station – Gobara Nawapara, Raipur, District- Raipur (C.G.) for the offence punishable under Section 34 (2) of the Excise Act.
2. Case of the prosecution, in brief, is that on 17.01.2016 on information being received and on raid being made, from the possession of the applicant 17.280 bulk liters liquor was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that co-

accused in this case has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.947/2016 on 03.03.2016 and allegation against this applicant is similar, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that the applicant has fled away from the spot and as many as 27 cases were registered against this applicant under different sections of I.P.C. right from 1996 till 2016. Therefore, taking into the past background of the applicant, he may not be released on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the past antecedents of the applicant. Perusal of the documents shows that as many as 27 cases are credited to the applicant under different sections of I.P.C. Taking into such facts and past background of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge