

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3831 of 2016

- Tukarma Nishad S/o Purushottam Nishad Aged About 25 Years R/o Urla, Tahsil/Police Station Urla, Civil & Rev. District Raipur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Urla, District Raipur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Smt. Ranjana Jaiswal, Advocate
For the Respondent	:	Mr. Lav Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 108/2016 registered at P.S. Urla, Distt. Raipur (C.G) for the offence punishable under Sections 34(2) of the C.G. Excise Act.
2. As per the prosecution case, when a raid was conducted by the Police on 08.05.2016, from the possession of the applicant 5.760 bulk litres of illicit liquor was recovered.
3. Learned counsel for the applicant submits that that the applicant has been falsely implicated in this case and no seizure was made in person from the applicant, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail and would submit that as many as 18 cases of different nature under IPC, Cr.P.C., Excise Act and Arms Act are pending to the credit of applicant from 2004 to 2015.
5. Learned Counsel for the applicant is not able to give any

plausible explanation as to what happened to those pending cases.

6. Taking into the recovery which is alleged to be made from the applicant and also looking the past antecedents of the applicant that as many as 18 cases of different nature under IPC, Cr.P.C., Excise Act & Arms Act are registered against the applicant, I am not inclined to release the applicant on bail. Accordingly, this bail application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

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