

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5034 of 2016

1. Jagdish Bagh, aged 29 years, S/o. Guruba Bagh, R/o. Banstaal, Shastri Chouck, P.S. - Gol Bazar, Civil and Revenue District – Raipur (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant	: Ms. Aparna Singh, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

31/08/2016

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.80/2016, registered at Police Station – Gol Bazar, District- Raipur (C.G.) for the offence punishable under Section 34 (2) of Excise Act.
2. Case of the prosecution, in brief, is that on 25.07.2016 on raid being conducted, from the possession of the applicant 7.20 bulk liter illicit liquor was seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the seizure was not made in person from the present applicant. It is further submitted that the applicant is in jail since 26.07.2016, therefore, the counsel prays that 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 as many as 16 cases are to the credit of the applicant out of which 2 cases were of Excise Act and one case of NDPS Act and other cases were of different sections of I.P.C., therefore, the applicant may not be released on bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case and further considering the fact that 16 cases are registered against the applicant out of which two cases are of Excise Act, one case of NDPS Act and other cases of different Sections of I.P.C., 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