

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6339 of 2016

1. Pappu @ Kamal Narayan, S/o. Shyam Lal Sahu, aged about 27 years, R/o. Sita Nagar, Near Mahamaya Kirana Shop, Gogaon, P.S. - Gudiyari, Raipur, District – Raipur (C.G.) [Mob. No.7694061539]

----Applicant

Versus

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

---- Respondent

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

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

18/10/2016

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.224/2016, registered at Police Station – Gudiyari, District – Raipur (C.G.) for the offence punishable under Section 34(2) of Excise Act.
2. As per the prosecution case, on raid being made on 13.07.2016, from the possession of the applicant 7.920 bulk liters illicit liquor was seized. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no seizure is made in person from the present applicant, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that from 2002 to 2016 as many as 16

cases under different sections of I.P.C. including theft, Arms Act, house trespass and attempt to murder are to the credit of the applicant, therefore, he may not be released on bail.

5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Taking into the fact that 16 cases under different sections of I.P.C. are to the credit of the applicant and considering the facts and circumstances of this case, 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