

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6843 of 2016

- Sakil Khan S/o Jaihar Khan Aged About 27 Years R/o Village Kunra Ward No. 13 Police Station - Dharsinwa, District - Raipur Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through Its Police - Station - Dharsinwa, Civil & Revenue District Raipur Chhattisgarh

---- Respondent

For the applicant	:	Mr. B.L. Sahu, Advocate
For the Respondent	:	Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.11.2016

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. 286 of 2016 registered at P.S. Dharsinwa, Distt. Raipur (C.G) for the offence punishable under Section 34(2) of the Excise Act. .
2. As per the prosecution case, on 10.08.2016 a raid was conducted by the police in village Kura and during such raid the applicant was found carrying 6.300 bulk litres of illicit liquor which was seized from his possession.
3. Learned counsel for the applicant would submit that no seizure has been made in person from the applicant and he has been falsely implicated in this case. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 10.08.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that as many as 11 cases are registered against the applicant including a case u/s 34(2) of the Excise Act which was registered in the year 2015 vide Crime No.307/2015 and a case of externment also stands registered against him.
5. Perused the case diary documents. Considering the facts and circumstances of the case especially the fact that as many as 11 cases are standing to the credit of the applicant including a case u/s 34(2) of the Excise Act, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**