

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8139 of 2016

Pardesiram, S/o. Pachkaud Sahu, Aged About 38 Years, R/o. Village
Birezar, Police Station Bori, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate - Durg, District – Durg,
Chhattisgarh.

---- Respondent

For Applicant : Mr. P.R.Patankar, Advocate.

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.12.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.83/2016 registered at Police Station- Bori, District Durg (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution case, on a raid being conducted on 16.10.2016, from the possession of the applicant, 20.700 bulk liters of illicit country made liquor was seized.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no seizure was made in person from the present applicant, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that as many as 11 cases are to the credit of the present applicant.

5. Perused the case diary and the documents, which shows that there are as many as 11 cases registered to the credit of the present applicant under different Sections of I.P.C. & Cr.P.C. Considering the seizure made from the present applicant and further considering his past antecedents, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Ashok

Sd/-
(Goutam Bhaduri)
Judge