

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 877 of 2017

- Chandrashekhar Soni s/o. Laxman Soni aged about 42 years, r/o village Dhawalpur, PS & PO, Mainpur, District Gariyaband (CG).

---- Applicant

Versus

- State of Chhattisgarh Through SHO, PS Mainpur, District Gariyaband (CG).

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Respondent/State	:	Mrs. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23-02-2017

1. This is the first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 12-01-2017 in connection with Crime No. 3 of 2017, registered at Police Station Mainpur, District Gariyaband (CG), for the offence punishable under Section 34 (2) of the CG Excise Act.
2. As per prosecution case, on information being received, a raid was conducted by the police party whereby the applicant was found in possession of illicit liquor measuring about 13.920 liters, the same was seized from him and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, seizure was not made from the applicant, he is in jail since 12-1-2017, therefore, the applicant may be released on bail.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail application and would submit that total 56 cases under different Sections of IPC including Excise Act have been registered against the present applicant, therefore, he does not deserve to be released on bail.
5. I have heard learned counsel for the parties, perused the case diary and documents which would show that 56 cases under different Sections of IPC including Excise Act, are registered against the present applicant.
6. Taking into consideration the past antecedents of the applicant wherein it is stated that 56 cases under different Sections of IPC and Excise Act are registered against the applicant, this Court is of the view that it is not a fit case where the applicant can be released on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C., is liable to be and is hereby dismissed.

Sd/-

(P. Sam Koshy)
Judge

Raju