

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.2452 of 2017**

- Maneesh Dubey S/o Shri Ambika Prasad Dubey, Aged About 40 Years R/o Village Bhedani, Tahsil Berla, Thana Bemetara, District Bemetara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Thana Bemetara District Bemetara Chhattisgarh

---- Respondent

For Applicant : Shri Samir Singh, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****04.5.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.161/2017 registered in Police Station Bemetara, Distt. Bemetara for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

3. Learned counsel for the applicant submits that the applicant has been arrested on 19.3.2017, charge sheet is yet to be filed, the applicant has been remanded by Chief Judicial Magistrate, Bemetara and as per allegation 193.680 bulk liters of liquor has been seized from the conscious possession of the applicant though in an open place of kitchen garden, there is reasonable suspicion whether the applicant was in actual possession of the said liquor so seized or

not. The trial may take some time, hence, he may be enlarged on bail.

4. Per contr , learned counsel for the State opposes the bail application and would submits that looking to the huge quantity of foreign liquor so seized behind the house of the applicant though in an open place, but as the part of the house of his kitchen garden and the applicant absconded from the spot and also 9 other criminal cases have been registered against the present applicant, the instant application may be dismissed.

5. Perused the entire material.

6. Looking to the huge quantity of liquor so seized and also considering the criminal antecedent of the applicant, I am not inclined to grant bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE