

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2791 of 2017**

- Ramratan Dewangan S/o Gendulal Dewangan, Aged About 67 Years, R/o Belahi Para Ward No. 6, Patan, Tahsil & Police Station - Patan, District- Durg, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through: Station House Officer, Police Station - Patan, District- Durg, Chhattisgarh.

---- Non-applicant

 For Applicant – Shri L.C. Dash, Advocate.

 For Non-applicant/State – Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order on Board****16-05-2017**

1. Heard the matter finally.
2. With this, I.A.No.1/2017 for grant of Ad-interim bail is hereby dismissed.
3. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.63/17 on 07-04-2017 by P.S. Patan, District Durg, C.G. for the offence under 34(2) of the C.G. Excise Act, 1915. After investigation police had filed the charge sheet, which is pending before the JMFC Patan as Criminal Case No.112/17. Learned counsel would submit that the applicant is first offender. This is the first bail application. As per the allegation, 195.060 bulk liter foreign liquor has been seized from the applicant. The applicant is aged about 67 years suffering from blood pressure, diabetes and heart problem for which he had filed certain prescriptions. He will not commit any offence in future. He may be granted bail during trial. The applicant is retired Government servant, he retired as Head Draftman from the Land Record, Raipur, C.G.
4. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant on the basis of huge quantity of liquor so seized from the possession of the applicant, i.e., seized at the

instance of the applicant from his house, and further submitted that though there is no any earlier criminal antecedent, but looking to the quantity, the instant MCRC may be dismissed.

5. Perused the entire material.

6. There is no any facts to demonstrate seriousness of ailment of the applicant, only a few prescriptions have been filed, though there is no any earlier criminal antecedent, but on account of huge quantity of liquor so seized from the house of the applicant, I am not inclined to grant bail to the applicant. Consequently, the MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE