NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2888 of 2017

- Prakash Dubey S/o Chandrasekhar Dubey Aged About 27 Years R/o Village Saida, Police Chakharbhata, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Raghavendra Pradhan, Advocate.
For Non-applicant/State – Shri Sumit Jhanwar, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board

20-06-2017

1. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.132/2017 on 03-04-2017 by P.S. Chakarbhatha, District Bilaspur, C.G. for the offence under Section 34(2) of the C.G. Excise Act, 1915. After investigation police had filed the charge sheet which is pending before the JMFC Bilha as Criminal Case No.303/17. The applicant is first offender. He will not commit any offence in future. As per the allegation, 136.800 bulk liter country liquor has been seized from the applicant. He may be granted bail during trial as the trial may take some time.

2. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant on the basis of the huge quantity of liquor so seized from the applicant, though fairly conceded that there is no earlier criminal antecedent of the applicant.

3. Perused the entire material.

4. Though the applicant had no earlier criminal antecedent, he is aged about 27 years, he is in jail since 03-04-2017, but on consideration of the quantity of liquor so seized from the applicant, I am not inclined to grant bail to the applicant.

5. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Aadil