

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.4113 of 2017**

- Rajkumar @ Guddu S/o Yogendra Singh Aged About 28 Years
R/o Quarter No. 60, Deendayal Colony Junwani, Police Station
Pulgaon, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Its S H O Police Station
Dongargarh, Civil & Revenue District Rajnandgaon,
Chhattisgarh.

---- Respondent

 For Applicant : Shri Ravi Maheshwari, Advocate
 For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order On Board

20.9.2017

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.530/2015 Police Station Dongargarh, Distt. Rajnandgaon (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

3. Learned counsel for the applicant submits that the applicant has been arrested on 18.5.2017, after investigation, police has filed charge sheet which is presently pending before Chief Judicial Magistrate, Rajnandgaon as Criminal Case No.1616/2017. As per the allegation, 58.680 bulk liters of foreign liquor has been seized which was being transported in a Santro Car bearing registration No.CG 08 ZP 1721. Learned counsel for the applicant would submit that the applicant is in custody since long, he will not

commit any offence in future, as the trial may take sometime for its conclusion, he may be released on bail.

4. Per contra, learned counsel for the respondent/State opposed the arguments advanced on behalf of the applicant on the basis of huge quantity of liquor so seized from the applicant and also criminal antecedent reported against the applicant which are as follows:

Sl. No.	Crime No.	Offence U/S.
01.	298/2015	34(2) of CG Excise Act, 1915
02.	19/2017	34(2) of CG Excise Act, 1915

5. Perused the entire material.

6. The applicant is in custody for about four months, he was transporting 58.680 bulk liter foreign liquor and also against the applicant two aforementioned matters of similar nature has been registered. On due consideration of the entire facts, 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