

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.4564 of 2017**

- Washim Khan S/o Bashir Khan, Aged About 28 Years R/o Subhash Nagar, Kukripara, Police Station Purani Basti, Raipur, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Purani Basti, Revenue & Civil District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Shri Dashrath Kushwaha, Advocate
 For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****11.8.2017**

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.51/2017 registered in Police Station Purani Bastir, Raipur (CG) 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 03.3.2017, after investigation, Police has filed charge sheet against the applicant which is pending before Judicial Magistrate First Class, Raipur as Criminal Case No.4111/2017. Learned counsel for the applicant submits that the applicant is aged about 28 years, as per the allegation, 7.560 bulk

liters of foreign liquor has been seized from the possession of the applicant. He will not commit any offence in future, as the trial may take sometimes for its conclusion, the applicant may be released on bail.

4. Per contra, learned counsel for the State opposed the arguments advanced on behalf of the applicant on the basis of the quantity of liquor so seized from the applicant, and also the criminal antecedent as mentioned below registered against the applicant prior to the present matter.

Sl. No	Crime No.	Offence U/S.
01.	Complaint No. 13/2007	14(1)d CrPC
02.	14/07	457, 380 IPC
03.	68/07	457, 380 IPC
04.	154/07	457, 380 IPC
05	Complaint No.209/2007	151, 107, 116(3) CrPC
06.	Complaint No.05/08	4(1)d, 190 CrPC
07.	Complaint No.50/08	109 CrPC
08.	Complaint No.05/08	110 CrPC
09.	Complaint No.468/08	151, 107, 116 CrPC
10.	Complaint No.58/08	110 CrPC
11.	38/09	327/34 IPC
12.	Complaint No.03/09	41(2), 110 CrPC
13.	208/09	294, 506B IPC
14.	Complaint No.46/09	41(2), 110 CrPC
15.	Complaint No.25/10	110 CrPC

16.	88/14	34(2) Excise Act
17	267/15	294, 506, 327/34 IPC
18.	228/16	294, 327 IPC

5. Perused the entire material.

6. On due consideration of the seizure from the present applicant in the present matter and also after considering the large number of criminal antecedent reported against 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