

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5659 of 2017**

- Kaali @ Roshan S/o Shri Ferumal Vadhvani, Aged About 27 Years R/o Subhash Nagar Telibandha Raipur P. S. Telibandha, Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through P. S. Telibandha, Raipur, Chhattisgarh.

---- Respondent

For Applicant : Ms. Raashi Tiwari, Advocate
For Respondent/State : Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****18.09.2017**

Heard the matter finally.

2. Learned counsel for the applicant would submit that the applicant has been arrested in connection with Crime No.302/17 on 27/07/2017, Police Station Telibandha, Distt. Raipur, (C.G.) for the offence under Section 34(2) of the Chhattisgarh Excise Act, 1915.

3. Learned counsel for the applicant would submit that charge-sheet is not yet filed, applicant is remanded by the Chief Judicial Magistrate, Raipur (C.G.). Learned counsel for the applicant would submit that applicant will not commit any offence in future. As per allegation, from the applicant 5.400 bulk litre country liquor has been seized, as the trial may take some time, he may be granted bail during the trial.

4. Per Contra, learned counsel for the respondent/State opposes the arguments advanced on behalf of the applicant on the basis of following matter has been registered against the applicant prior to the incident.

S.No.	Crime No./Complaint No.	Under Section
1.	317/05	4a of the Gambling Act, 1867.
2.	252/05	4a of the Gambling Act, 1867.
3.	352/05	4a of the Gambling Act, 1867 and Section 25 & 27 of the Arms Act, 1959.
4.	346/06	338 of Indian Penal Code and 25 & 27 of the Arms Act, 1959.
5.	85/07	25 & 27 of the Arms Act, 1959.
6.	165/07	294, 323, 506, 324 of Indian Penal Code and 25 & 27 of the Arms Act, 1959.
7.	119/08	307 & 34 of Indian Penal Code.
8.	328/07	13 of Gambling Act, 1867.
9.	306/08	394/34 of Indian Penal Code.
10.	131/09	307 & 147 of Indian Penal Code.
11.	279/10	25 & 27 of the Arms Act, 1959.
12.	64/11	294, 323, 506 & 327 of Indian Penal Code.
13.	240/12	294, 323, 506 & 327 of Indian Penal Code.
14.	231/12	294, 324, 327 of Indian Penal Code.
15.	303/12	20b of the Narcotics Drugs and Psychotropic Substances Act, 1985.
16.	122/14	307, 34 & 212 of Indian Penal Code and 25 & 27 of the Arms Act, 1959.
17.	352/15	327, 324, 323, 294, 506 part ii, 34 and 307 of Indian Penal Code and 25 & 27 of the Arms Act, 1959.
18.	01/07	109 of Code of Criminal Procedure.
19.	62/10	110 of Code of Criminal Procedure.
20.	12/11	110 of Code of Criminal Procedure.

21.	90/11	110 of Code of Criminal Procedure.
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5. Perused the entire matter.

6. Though the quantity of liquor so seized from the applicant is only 5.400 bulk litre. After consideration of the very huge criminal matters register against the applicant even at the age of 27 years, I am not inclined to grant the bail to the applicant.

7. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE