

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6421 of 2018**

- Radheshyam Chouhan S/o Dayaram Chouhan Aged About 40 Years R/o Kodatarai, Tahsil Pussaur, District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kotwali Raigarh District Raigarh Chhattisgarh.

---- Non-applicant

For Applicant : Shri M.K. Jaiswal, Advocate

For Non-applicant : Shri Satish Gupta, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with crime No. 1042/2018 registered at Police Station – Outpost Jutmil Kotwali Raigarh, District – Raigarh (C.G.) for the offence punishable under Section 34(1)(A), 34(2), 59(A) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 14.08.2018, 6.120 bulk liters hand made country liquor has been seized from the applicant.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. He further submits that four other cases have been registered against the applicant; out of which three are under the Excise Act and one is under IPC.
6. Counsel for the applicant further submitted that all the cases are old and have already been disposed off.
7. Looking to the above facts and circumstances of the case, looking to this fact that four cases have already been registered against the applicant, the application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE