

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6795 of 2018**

Bharat Verma, aged about 23 years, son of Shri Ramkrishna Verma, R/o Rameshwar Nagar, Bhanpuri, P.S. Khamtarayee, Raipur, Tahsil and District Raipur (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Khamtarai, Raipur (CG).
---- Non-applicant

For Applicant : Mr. Dashrath Kushwaha, Advocate
 For Non-applicant : Mr. Adil Minhaj, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.446/2018 registered in Police Station Khamtarayee, Raipur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 22.08.2018, 5.400 bulk liters country made liquor has been seized from the applicant.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State would oppose the prayer for grant of bail to the applicant. He would further submit that previously five criminal cases, out of which, four cases under of IPC Act and one case of under Arms Act have already been registered against the applicant
6. Looking to the facts and circumstances of the case, looking to the five criminal cases have already been registered against the applicant, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE