

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6764 of 2018**

Geetaram Nagaarchi S/o Late Jagdish Nagaarchi Aged About 57 Years R/o- Village Amwari, Police Chowki Birejhar, Police Station Kurud, District- Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Police Chowki Birejhar, Police Station Kurud, District- Dhamtari, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kunal Das, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.287/2018 registered in Police Chowki, Birejhar, Police Station Kurud, District Dhamtari (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 25/06/2018, 5.40 bulk liters country made liquor has been seized from the possession of the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated, hence, he be released on bail.
5. On the other hand, the State counsel opposed the bail application. He further submits that 29 other criminal cases have been registered against the applicant, out of which 8 cases under Excise Act and other 21 cases under Sections 107, 110, 116 and 151 of CrPC.
6. Counsel for the applicant further submitted that applicant has already acquitted in all other 8 Excise cases.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 29 other criminal cases have been registered against the applicant and looking to the seriousness of the alleged offence and also

the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.

8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde