

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7449 of 2018**

Laleshwar S/o Dhani Ram Aged About 32 Years Caste - Banjara, R/o Korgaon, Tehsil Baderajpur, Vishrampuri, District Kondagaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Vishrampuri, District Kondagaon Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Raza Ali, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**24/10/2018**

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.59/2018 registered in Police Station Vishrampuri, District Kondagaon (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 09/09/2018, 7.56 bulk liters foreign 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 opposed the bail application. He further submits that 8 other criminal cases have been registered against the applicant, out of which 7 cases under Excise Act and 1 under IPC.
6. Counsel for the applicant further submitted that in all other excise cases applicant has already been acquitted, in a case registered under Section 376 of IPC he is already on bail. He further submits that mother of the applicant is ill.
7. *Prima facie* it does not appear that mother of the applicant is suffering from any serious disease.
8. Looking to the above facts and circumstances of the case, looking to this fact that 8 other criminal cases have been already registered against the applicant, this Court is not inclined to grant bail to the applicant.
9. Accordingly, bail application is dismissed.

Sd/-

(Sharad Kumar Gupta)
Judge