

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7748 of 2018**

Umakant Gupta, S/o Shri Vishnu Gupta, aged about 26 years, R/o Ganesh Chowk, Chhirrapara, Bhatagaon, Post Office Raipur, Police Station Purani Basti, Raipur, Tahsil & District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Purani Basti, District Raipur (CG).

---- Non-applicant

For Applicant : Mr. Shivendu Pandya, Advocate

For Non-applicant : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****22.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the State in connection with Crime No.195/2018 registered in Police Station Purani Basti, District Raipur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 20.08.2018, 5.400 bulk liters of foreign liquor has been seized from the possession of the applicant.
4. Counsel for the applicant submits 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. Counsel for the State opposes the prayer for grant of bail. He further submits that previously four criminal cases out of which, two cases under Indian Penal Code and two cases under Excise Act have already been registered against the applicant.
6. I have heard counsel appearing for the parties and perused the

case diary with utmost circumspection.

7. Looking to the facts and circumstances of the case, looking to this facts that four criminal cases have already been registered against the applicant, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
8. Consequently, the bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-