

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8141 of 2018**

Manmohan Sonkar @ Baura S/o Ramswaymbar Sonkar Aged About 27
Years R/o Ward No. 3, Mauharpara, Manendragarh, Police Station
And Tahsil Manendragarh District Korea Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Manendragarh District Korea Chhattisgarh, District : Koriya
(Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Akhtar Hussain, Advocate
For the State	:	Shri Satish Gupta, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**26/10/2018**

1. This is the second 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.231/2018 registered in Police Station Manendragarh, District Korea (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 31/07/2018, ASI O.P. Dubey, P.S. Manendragarh received secret information, on the basis of which he seized 5.940 bulk liters 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 six other cases have been registered against the applicant out of which one under Excise Act and five under IPC.
6. Mere turned hostile of seizure witness is itself is not a sufficient ground to release the applicant in this second round.

7. There is no change of circumstances in this case, accordingly second bail application is dismissed.
8. Looking to the facts and circumstances of the case the trial Court is directed to expedite the trial and dispose of the case as soon as possible and preferably within a period of two months from the date of receipt of certified copy of this order.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde