

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9728 of 2018

Chhedilal Sahu, S/o Bharat Sahu, aged about 48 years, R/o Village Sendari, Police Station Koni, District, Revenue & Civil Bilaspur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Koni, District (Revenue & Civil) Bilaspur (CG). **---- Non-applicant**

For Applicant : Mr. Anand Kesharwani, Advocate
 For Non-applicant : Mr. Ashok Kumar Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

12.12.2018

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 case diary provided by the counsel for the State in connection with Crime No.366/2018 registered in Police Station Koni, District (Revenue & Civil), Bilaspur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 23.11.2018, 6.128 bulk liters country made liquor has been seized from the possession of 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. Counsel for the State would submit that 05 criminal cases, out of which, 04 cases under Excise Act and 01 under IPC have already been registered against the applicant hence he is not entitled for grant of bail.
6. Looking to the facts and circumstances of the case, looking to this facts that 05 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.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-