

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 457 of 2019**

Laleshwar S/o Dhaniram, aged about 32 years, Caste Banjara R/o Korgaon
Tahsil Baderajpur, Vishrampuri, District Kondagaon (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Vishrampuri, District Kondagaon
(CG). **---- Non-applicant**

For Applicant	: Mr. Sandeep Yadav, Advocate
For Non-applicant	: Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.01.2019

1. This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.59/2018 registered at Police Station Vishrampuri, District Kondagaon for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
2. The first bail application of the applicant was rejected on merits by the order of this Court dated 24.10.2018 passed in M.Cr.C. No.7449/2018.
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 in the case hence he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He further submitted that 08 criminal cases have been registered against the applicant, out of which, 07 cases under Excise Act and 01 case under IPC.
6. At this stage, counsel for the applicant submits that the applicant has already been acquitted in 07 cases and he may be released on bail in another case. The applicant is in jail since 09.09.2018.
7. Even if the applicant has been acquitted in 07 criminal cases and he may be released on bail in another case, it do not change the

circumstances of the case on the strength of which he may be released on bail in second round. Consequently, the second bail application of the applicant is rejected. However, the trial Court is directed to expedite the trial and dispose of case as soon as possible preferably within a period of two months from the date of receipt of certified copy of this order.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-