

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 139 of 2019**

Vishwanath Sahu @ Chhotu S/o Late Shri Basant Sahu Aged About 28
Years R/o Ganga Nagar, Khamtarai, Post Office Raipur, Police Station
Khamtarai, District Bilaspur Chhattisgarh

---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Khamtarai, District Bilaspur Chhattisgarh

---- **Respondent**

For the Applicant	:	Shri Amit Kumar, Advocate appearing on behalf of Shri Shivendu Pandya, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**09/01/2019**

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.661/2018 registered in Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Argument heard.
4. Case of the prosecution, in brief is that on 23/11/2018, 5.400 bulk liters of foreign liquor has been seized from the possession of the applicant.
5. Counsel for the State submits that 11 other criminal cases have been registered against the applicant out of which 2 under Arms Act, 4 under IPC, 3 under Gambling Act, 1 under CrPC and 1 under Rajya Suraksha Adhiniyam.
6. Counsel for the applicant further submitted that no Excise Act has been registered against the applicant, thus he may be enlarged on bail.
7. Looking to the above facts and circumstances of the case, looking to this fact that 11 other criminal cases have been registered against the applicant, this Court is not inclined to give benefit under Section 439 of CrPC to the applicant. Accordingly bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge