

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 512 of 2019**

Radheshyam Sonwani, S/o Shri Sukhram Sonwani, aged about 53 years, R/o Village Chuchrungpur, Police Station Suhela, District Baloda Bazar Bhatapara (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Suhela, District Baloda Bazar Bhatapara (CG).
---- Non-applicant

For Applicant	: Mr. Anil Gulati, Advocate
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.01.2019

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.161/2018 registered at Police Station Suhela, District Baloda Bazar-Bhatapara for the offence punishable under Sections 34(2), 36 of Chhattisgarh Excise Act.
2. The first bail application of the applicant was rejected as not pressed by the order of this Court dated 03.10.2018 passed in M.Cr.C. No.6755/ 2018.
3. Case of the prosecution in brief is that on 17.08.2018, 6.48 bulk liters foreign liquor has been seized from the applicant.
4. Counsel for the applicant submitted that the applicant is an innocent person and has been falsely implicated in the present case and as such he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He submitted that four criminal cases have already been registered against the applicant in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that four criminal cases have already been registered against the applicant, this Court is not inclined to give benefit of Section 439 of CrPC to the applicant. Consequently, the second bail application of the applicant is rejected.

Sd/-

(Sharad Kumar Gupta)
JUDGE