

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 814 of 2019**

Chhotelal S/o Shri Budaga Ram Aged About 35 Years Caste Satnami,
R/o Village Thathari, Police Station Baradwar, Civil And Revenue
District Janjgir Champa Chhattisgarh, District : Janjgir-Champa,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Janjgir, Civil
And Revenue District Janjgir Champa Chhattisgarh, District : Janjgir-
Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.M. Shrivastava, Advocate
For the State	:	Shri Vikram Dixit, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**04/02/2019**

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.500/2019 registered in Excise Flying Squad Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Section 34(1)(A), 34(2) & 59 (A) of CG Excise Act.
3. Argument heard.
4. Case of the prosecution, in brief is that on 17/01/2019, 15 bulk liters of hand made country liquor has been seized from the possession of the applicant.
5. Counsel for the State submits that four other criminal cases have been registered against the applicant, out of which two under Gambling Act, one under Excise Act and one under IPC.
6. Looking to the facts and circumstances of the case, looking to this fact that four other criminal cases have already been registered against the applicant, this Court is not inclined to give the benefit under Section 439 of CrPC to the applicant. Accordingly, bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge