

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1043 of 2019

- Rajesh Kumar Ratre S/o Santosh Ratre Aged About 30 Years R/o Village Khapridihkhurd, Police Station Kharora, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kharora, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Shri B.L. Sahu, Advocate.

For Non-applicant : Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

13.02.2019

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was dismissed as withdrawn by this Court on 01.12.2018 in MCRC No. 9360 of 2018.
3. Perused the Case Diary provided by the learned counsel for the State in connection with crime No. 300/2018 registered at Police Station – Kharora, District Raipur (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
4. Case of the prosecution, in brief is that on 24.08.2018, 90 bulk liters of foreign liquor was seized from the possession of the applicant.
5. Govt. Advocate submits that 18 criminal cases have been reported in the police case diary against the applicant, out of which 8 are under IPC, 1 under Gambling Act, 8 are under Excise Act and 1 under NDPS Act.
6. Counsel for the applicant further submitted that all the other cases are old and applicant has been acquitted from those cases. He further submitted that seizure witnesses have turned hostile, thus, he may be released on bail.
7. Looking to the above facts and circumstances of the case, looking to the fact that 18 other criminal cases have been registered against the applicant, the application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE