

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1377 of 2019

Byasnarayan son of Janaklal, aged about 34 years, R/o Village Bhandera, Police Station Devri, District Balod (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Devri, District Balod (CG). **---- Non-applicant**

For Applicant	:	Mr. Anurag Khatri, Advocate
For Non-applicant	:	Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

27.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.09/2019 registered in Police Station Devri, District Balod for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 21.01.2019, 6.810 bulk liters country made liquor and foreign liquor were seized from the possession of the applicant.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. Counsel for the State would submit that 04 other criminal cases, out of which, 03 under CrPC and 01 under Gambling Act have already been registered against the applicant hence he is not entitled for grant of bail.
6. Looking to the facts and circumstances of the case, looking to this facts that 04 other criminal cases have already been registered against the applicant, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-