

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2040 of 2019**

- Wajid S/o Yar Mohammad Aged About 30 Years Caste Musalmaan, R/o Marwahi Police Station Marwahi District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Marwahi District Bilaspur Chhattisgarh

.....Non Applicant

For the Applicant	:	Mr. Avinash Chand Sahu, Advocate
For Non Applicant	:	Ms. S. Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**28/03/2019**

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.67/2018 registered at Police Station- Marwahi, District- Bilaspur (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 25.05.2018, 6 bulk liters of country made liquor has been seized from the possession of the applicant.
5. Counsel for the applicant submits that applicant is in jail since 25.05.2018.
6. Counsel for the State submits that there is no criminal antecedent of the applicant is reported in police case diary.
7. Looking to the above facts and circumstances of the case, looking to this fact that 9 other criminal cases have been registered against the applicant, this court is not inclined to get benefit of Section 439 of CrPC to the applicant. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul