

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2176 of 2019**

Budhram Manikpuri, son of Panchuram Manikpuri, aged about 26 years, R/o Village Mopka, P.S. Bhatapara (Gramin) District Baloda Bazar Bhatapara (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Bhatapara (Gramin), District Baloda Bazar Bhatapara (CG).

---- Non-applicant

For Applicant : Mr. Ravi Maheshwari, Advocate

For Non-applicant/State : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.04.2019

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.123/2019 registered in Police Station Bhatapara (Gramin) Civil and Revenue District Baloda Bazar Bhatapara for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 19.03.2019, 14.370 bulk liters country made liquor has been seized from the applicant.
4. Counsel for the applicant submitted that the applicant has not committed any offence 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 submitted that six criminal cases, out of which, three cases under CrPC and three cases under IPC have already been registered against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case and looking to this fact that six 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