

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2179 of 2019

1. Gopal Das S/o Shri Babu Das Aged About 42 Years Caste Manikpuri, R/o Village- Jogideepa, Police Station- Shivrinarayan, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Anil Kumar Sahu S/o Shri Sonaram Sahu Aged About 42 Years R/o Village Tusma, Sabariyadera, Police Station- Shivrinarayan, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Shivrinarayan, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicants : Shri P.M. Shriwas, Advocate.

For Non-applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

02.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 66/2018 registered at Police Station – Shivrinarayan, Civil And Revenue District- Janjgir-Champa (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 20.03.2019, 9.720 bulk liters foreign liquor has been seized from the possession of applicant No.2 Anil Kumar Sahu. Applicant No. 1 Gopal Das was accompanying him.
4. Govt. Advocate submits that no criminal antecedent of the applicant No.2 Anil Kumar Sahu is reported in the police case diary and against applicant No.1 Gopal Das there are five other criminal cases registered; out of which 2 under Excise Act, 2 under Cr.P.C. and 1 under IPC.
5. Looking to the above facts and circumstances of the case, looking to the fact that 5 other criminal cases have been registered against the applicant No.1 Gopal Das, his bail application is rejected.
6. Looking to the above facts and circumstances of the case, it is directed that if applicant No. 2 Anil Kumar Sahu furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE