

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2292 of 2019**

Baishakhuram Thakur, son of Gulab Singh Thakur, aged about 56 years,
Caste Halba, R/o Village Dudiya, P.S. Arjunda, District Balod (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Arjunda,
District Balod (CG).

---- Non-applicant

For Applicant	: Mr. Purnendra Khichariya, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

04.04.2019

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.44/2019 registered in Police Station Arjunda, Civil and Revenue District Balod for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 17.03.2019, 5.400 bulk liters of country made liquor has been seized from the applicant.
4. Counsel for the applicant submitted that the applicant has not committed any offence and he is an innocent person and as such he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. However, he submitted that four criminal cases, out of which, three cases under Excise Act and one case under CrPC have already been registered against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to this fact that four 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. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE