

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2554 of 2019**

Ishwar Gond S/o Santram Gond Aged About 42 Years R/o Village Semra, Bhaisamunda-Dera, P. S. Gidhuri, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Gidhuri, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Hemant Gupta, Advocate
For the State	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

16/05/2019

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. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.81/2019 registered at Police Station Gidhuri District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of IPC.
3. Case of the prosecution, in brief is that on 04/04/2019, 7 bulk liters of hand made country liquor was seized from the possession of the applicant.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that seven other criminal cases have been registered against the applicant out of which two under Excise Act, three under IPC and two under CrPC.
6. Counsel for the applicant further submitted that applicant has already been acquitted in the excise matters. Alleged offences are petty in nature, thus he may be released on bail.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that seven criminal cases have already been registered against the applicant, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge