

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2958 of 2019**

- Mukesh Suryawanshi S/o Shri Teej Ram Aged About 40 Years Caste - Suryawanshi, R/o Village - Bhainso, Police Station - Pamgarh, Civil And Revenue District Janjgir - Champa Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Janjgir , Civil And Revenue District Janjgir - Champa Chhattisgarh

---- Non Applicant

For the Applicant	:	Mr. Paras Mani Shriwas, Advocate
For Non Applicant	:	Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06.05.2019**

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. The applicant has been arrested in connection with Crime No.192/2019 registered at Police Station- Pamgarh , District- Janjgir-Champa (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 11.04.2019, 20 bulk liters of hand made country liquor has been seized from the possession of the applicant.
5. Counsel for the State submits that 5 other criminal cases have been registered against the applicant, out of which one under Excise Act, one under IPC and three under CrPC.
6. Counsel for the applicant further submitted that applicant has been acquitted in a case of Excise Act.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 5 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