

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4446 of 2019**

- Muskan Ratre D/o Bandi @ Anand Ratre Aged About 19 Years R/o Near Navbharat Press, Rajbandha Maidan, Police Station Moudahapara, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Moudahapara, Raipur, District Raipur Chhattisgarh., District : Raipur,

---- Non-applicant

For Applicant : Shri Sandeep Yadav, Advocate.

For Non-applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****30.07.2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant has been rejected by this Court on 25.03.2019 in MCRC No. 1800 of 2019 considering the merits of the case.
3. Perused the Case Diary provided by the learned counsel for the State in connection with crime No. 44/2019 registered at Police Station – Moudahapara, District – Raipur (C.G.) for the offence punishable under Section 34(2) of the CG Excise Act.
4. Case of the prosecution, in brief is that on 28.02.2019, 7.920 bulk litres of foreign liquor was seized from the possession of the applicant.
5. Learned counsel for the applicant submits that the applicant has no criminal background. She is innocent and has been falsely implicated in the present case, he further submitted that she is in jail since 28.02.2019,

therefore, she shall be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application and submits that 5 other criminal cases have been registered against the applicant, out of which 4 are under I.P.C. and 1 is under Cr.P.C.

7. Looking to the above 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 give benefit of Section 439 of Cr.P.C. of the applicant, thus, present bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE