

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9643 of 2018**

Vijay Kumar Kashyap S/o Shri Shriram Kashyap Aged About 33 Years
R/o Village Kutara Fokatpara ,police Station Pamgarh Civil And
Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-
Champa, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri P.M. Shrivastava, Advocate
For the State	:	Shri Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**02/01/2019**

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.726/2018 registered in Police Station Janjgir, 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 25/11/2018, 8.100 bulk liters of country made liquor has been seized from the possession of the applicant.
5. Counsel for the State submits that four other criminal case under Excise Act has been registered against the applicant.
6. Counsel for the applicant further submits that applicant has already been acquitted from the two cases registered under the Excise Act.
7. Looking to the facts and circumstances of the case, looking to this fact that four other criminal cases have been registered against the applicant, this Court is not inclined to give the benefit under Section 439 of CrPC. Accordingly, bail application is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge