

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9822 of 2018**

Faizal Khan S/o Kayyum Khan Aged About 28 Years R/o Dammani Colony, Gobra Nayapara, Raipur Chhattisgarh, District : Raipur, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Gobra Nayapara, Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Varunendra Mishra, Advocate
For the State	:	Shri A.K. Swarnkar, Panel Lawyer

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.235/2018 registered in Police Station Gobra Nawapara, District Raipur (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 04/10/2018, 5.400 bulk liters of country made liquor has been seized from the possession of the applicant.
5. Counsel for the State submits that nine other criminal cases have been registered against the applicant out of which seven under IPC, one under Excise and one under CrPC.
6. Looking to the above facts and circumstances of the case and looking to this fact that nine 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

Kamde