

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.10064 of 2018**

Vikky @ Vishal Bharti S/o Shri Ghanshyam Bharti Aged About 26 Years  
R/o Village Patharra, Tahsil Dhamdha, Police Station, Bhilai-3, District-  
Durg, Chhattisgarh., District : Durg, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station,  
Bhilai-3, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

|                   |   |                                |
|-------------------|---|--------------------------------|
| For the Applicant | : | Shri Jitendra Gupta, Advocate  |
| For the State     | : | Shri S.K. Mishra, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****04/01/2019**

1. This is the Second 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.446/2018 registered in Police Station Bhilai-3, District Durg (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 29/10/2018, 7.900 bulk liters of country liquor has been seized from the possession of the applicant.
5. Earlier first bail application was rejected by this Court on the ground that five other criminal cases have been registered against the applicant.
6. Counsel for the applicant submitted that applicant is in jail since 29/10/2018. now the charge-sheet has been filed, thus he may be released on bail.
7. Counsel for the State has opposed the bail application.
8. There is no change of circumstance to give the benefit under Section 439 of CrPC to the applicant, accordingly bail application is rejected.

Sd/-  
(Sharad Kumar Gupta)  
Judge