

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 155 of 2019**

Rikhiram Kothare S/o Late Laxminath Kothare Aged About 40 Years
R/o Village Mulle Chowki Birejhar , Tahsil Kurud, District Dhamtari
Chhattisgarh., District : Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kurud (Police Chowki Birejhar), District Dhamtari Chhattisgarh.,
District : Dhamtari, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri R.S. Patel, Advocate
For the State	:	Shri Sumit Jhavar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**09/01/2019**

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.461/2018 registered in Police Station Kurud, District Dhamtari (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 30/10/2018, 5.760 bulk liters of country liquor and foreign liquor have been seized from the possession of the applicant.
5. Counsel for the State submits that seven other criminal case under Excise Act has been registered against the applicant.
6. Counsel for the applicant further submitted that other excise cases have been registered seven years way back during 2012, 2013, thus he may be released on bail.
7. Looking to the above facts and circumstances of the case, looking to the facts of the case seven other criminal cases have been registered against the applicant, this Court is not inclined to give the benefit under Section 439 of CrPC to the applicant. Accordingly, bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge