

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No.454 of 2020**

- Rakesh Kurrey, S/o Mohan Kurrey, Aged About 30 Years, R/o Village Limtara, Police Station Simga, District - Baloda - Bazar Bhatapara, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh, Through The Station House Officer, Police Station Simga, District Baloda-Bazar Bhatapara, Chhattisgarh

**---- Respondent**

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For Applicant  
For Respondent

Shri A. S. Rajput, Advocate  
Shri Gagan Tiwari, Dy. GA

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**Proceeding through Video Conferencing**

**Hon'ble Justice Shri Prashant Kumar Mishra**

**Order On Board**

**30/06/2020**

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Crime No.47/2020, registered at Police Station Simga, District Baloda Bazar-Bhatapara (C.G.), for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. The applicant along with Podu Satnami and Dhelu Nishad was selling liquor near a Dhaba owned by Mahavir Singh Chouhan. As per the statement of Mahavir Singh Chouhan, the applicant ran away from the place of occurrence, whereas other accused have been arrested. The motorcycle on which countrymade liquor was kept for sale is owned by the present applicant.

3. Considering the material available in the case diary and the bar under Section 59A of the Chhattisgarh Excise Act, 1915, this Court is not inclined to extend benefit of anticipatory bail to the applicant. Accordingly, the bail application is rejected. However, in the event of surrender and applying for regular bail, the Sessions Court shall consider and decide the same expeditiously.

Sd/-  
Prashant Kumar Mishra  
Judge

Nirala