

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5368 of 2020

- Dhanesh Bandhey S/o Sukhram Bandhey Aged About 42 Years R/o Dhanlaxmi Nagar, Bhanpuri, Police Station Khamtarai, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Excise Circle Khamtarai, Civil & Revenue District Raipur, Chhattisgarh.

---- Respondent

For Applicant :- Mr. Pushpendra Kumar Patel, Adv.
For State/Respondent :- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

07/10/2020

1. Proceedings of this matter have been taken up through video conferencing.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in

connection with Crime No.04/2020, registered at Excise Circle Khamtarai Civil & Revenue, District Raipur, C.G. for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

3. Case of the prosecution, in brief, is that, 47.520 bulk liters of illicit liquor was seized by the police from the present applicant.

4. Learned counsel for the applicant submits that the applicant has been acquitted in all criminal cases registered against him and only three criminal are pending consideration. He is in custody since 02/08/2020.

5. On the other hand, learned counsel for the State opposes the bail application and submits that seven criminal cases have been registered against the applicant and all the cases are excise in nature.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case, nature and

gravity of offence and considering the criminal antecedents of the applicant and also considering the fact that at present three criminal cases of excise offence are pending consideration against him, I do not find a fit case for grant of bail to the applicant. However, applicant is at liberty to revive the same after conclusion of pending cases.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C., is rejected.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit