

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.6727 of 2021**

Jaysurya Sonwani S/o Shri Vishnu Sonwani Aged About 25 Years R/o Ward No. 12 Bagbahra, Thana And Tahsil-Bagbahra, District - Mahasamund (C.G.) **---- Applicant**

Versus

The State Of Chhattisgarh Through Station House Officer Of Police Station - Bagbahra, District - Mahasamund (C.G.) **--- Non-Applicant**

For Applicant:	Shri Sunil Sahu, Advocate.
For Non-Applicant/State:	Dr (Ms.) Veena Nair, Dy. Advocate General.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board through Video Conference

03.09.2021

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. The first bail application was rejected by this Court vide order dated 12.08.2021 passed in M.Cr.C No.5387 of 2021 and he has been arrested in connection with Crime No.158/2021 registered at Police Station Bagbahra, District Mahasamund for the offence punishable under Section 34(2) of the CG Excise Act.

2. Case of the prosecution is that on receiving a secret information that the present Applicant was selling illicit liquor at Ward No.12 Bagbahra, the police headed out and recovered 8 bulk liters of (*mahua*) country made liquor from his illegal possession.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in this crime and is languishing in jail since 18.07.2021 and due to COVID-19 pandemic conclusion of trial is likely to take some time, therefore, he may be released on bail.

4. On the other hand, learned State Counsel opposed the bail application.

5. I have heard learned Counsel for both the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the nature of allegation against the Applicant and further considering the fact that he is a habitual offender and his first bail application has been rejected by this Court vide order dated 12.08.2021 passed in M.Cr.C No.5387 of 2021 and that there is no change in the circumstances, I am not inclined to allow this application.

7. Accordingly, the bail application is rejected.

Sd/-

Gautam Chourdiya

JUDGE