

M.CrC.No.861/2015 (Harivilas @ Harvilas Vs. State of M.P.)

31.01.2015

Applicant by Shri P.K. Chaturvedi, Advocate.

Respondent/State by Shri G.S. Chauhan, PL.

The case is listed today for admission.

Heard on the bail application.

Case diary is available.

This is second bail application under Section 439 of Cr.P.C. The applicant has been arrested in connection with Crime No.396/2014 registered at Police Station Gohad, District Bhind (M.P.), for the offences punishable under Sections 34(2) and 47(2) of MP Excise Act.

As per prosecution case, it is alleged that 495 liters of country-made liquor has been seized from the possession of the applicant without permit.

Learned counsel for the applicant submits that applicant has falsely been implicated in the case. He has not committed any offence. The applicant is in custody since 25.11.2014 and trial is likely to take time. Learned counsel further submits that there is no criminal antecedents of the applicant. In such premises, the applicant prayed for bail.

The prayer is opposed by learned Panel Lawyer on the ground that huge quantity of country made liquor without permit has been seized from the applicant. After rejection of the first bail application no new ground is made out.

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Considering the facts and circumstances of the case and looking to the seriousness of the allegation against the applicant and gravity of the offence as well as looking to the quantity of liquor seized from the applicant, at this stage no case is made out for grant of bail.

Consequently, the bail application filed by the applicant stands dismissed.

(Sushil Kumar Gupta)
Judge

bj/-