

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1776 of 2015**

Pramod Dhruve, S/o. Mahettar Dhruve, aged about 45 years,
R/o. Marar Gali Magarpara P.S. Civil Line Bilaspur Civil and
Revenue District Bilaspur (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, through the Police Station Civil Line,
District Bilaspur (C.G.)

---- Non-applicant

For Applicant	:	Shri Pravin Kumar Tulsyan, Advocate
For Non-applicant	:	Shri Om Prakash Sahu, Govt. Advocate for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.143/2015 registered at Police Station Civil Line, District Bilaspur (C.G.) for the offence punishable under Sections 34(2) and 59(A) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 5.570 bulk liters of illicit liquor was seized from the possession of the present applicant and

thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant submits that the applicant has been falsely implicated in the crime in question as no liquor has been seized from the possession of the present applicant. He would further submit that the applicant is in jail since 29.03.2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel for the parties and perused the case diary.

(6) Taking into consideration the facts and circumstances of the case and further taking into consideration the provisions contained in Section 59-A(ii) of the Chhattisgarh Excise Act, 1915; and quantity of liquor seized from the possession of the present applicant and looking to the previous two criminal antecedents of the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the same preferably within a period of three months from the date of receipt of copy of this order.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-