

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3390 of 2015

- Shatrughan Singh S/o Shri Ambika Singh, Aged About 32 years R/o In front of Tribal Hostel, Raipura, Police Station D.D. Nagar, Civil and Rev. Distt. Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Mandir Hasaud (Excise Circle Arang) District Raipur Chhattisgarh.

---- Non-Applicant

For Applicant	:	Mr. Sudeep Agrawal, Advocate
For Non-Applicant	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Inder Singh Uboweja

Order on Board

17.07.2015

- 1) The applicant has filed this bail application under Section 439 of the Code of Criminal Procedure, 1973 (in short 'the Code') for grant of regular bail as he is in custody in connection with Crime No. 171/2015, registered at Police Station Mandir Hasaud (Excise Circle - Arang), Distt.– Raipur (C.G.), for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
- 2) Learned counsel for the applicant submits that this is First Bail application and no other application of this nature is pending or decided by this Court or by the Apex Court. The application is supported by an affidavit of Rajesh Kumar Singh, cousin (Bhanja) of the applicant. He further submits that the applicant is in custody since 25.06.2015. He also submits that present applicant has not committed any offence

and and he has been falsely implicated in crime in question. Even as per case of prosecution only 51.84 litres of foreign liquor has been seized from the possession of the applicant. He relied in matters of **Mrityunjay Kumar Singh v. State of Chhattisgarh** passed in M.Cr.C. No. 2334 of 2015 and **Anil Sahu v. State of Chhattisgarh** passed in M.Cr.C. No. 6133 of 2014 by the co-ordinate Benches of this Court.

- 3) On the other hand, learned panel lawyer for the State/non-applicant opposes the bail application and submits that the present applicant has been found in possession of aforesaid illicit liquor.
- 4) Considering the possession of huge quantity of foreign liquor i.e. 51.84 bulk litres from the applicant, I do not find it fit case for grant of regular bail to the applicant.
- 5) Consequently, bail application filed on behalf of the applicant is rejected.

Sd/-
(I.S.Uboweja)
JUDGE