

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3831 of 2015

Shivkumar Markandey S/o Ubhaly Ram Markandey, aged about 35 years, R/o Village - Bhaismundi Police - Station - Kharora, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through: Police - Station - Kharora Raipur, Civil & Revenue District Raipur (C.G.)

---- Non-applicant

For Applicant : Shri B. L. Sahu, Advocate
For Respondent/State: Shri Anant Bajpai, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24/07/2015

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 12.06.2015 in connection with Crime No. 160 of 2015 registered at PS Kharora, Raipur for the offence punishable under Section 34 (2) of Excise Act.

As per the prosecution, on 11.06.2015, the applicant was found to be carrying 50 quarter English wine in a bag. Subsequently, a case was registered against the applicant under the provisions of Excise Act and he was arrested in connection with the said offence.

Counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 12.06.2015, therefore, considering these facts the applicant may be released on bail.

Per contra, counsel for the State opposes the application for grant of bail.

Considering the total facts and circumstances of the case and also the quantity of liquor which is alleged to have been seized from the possession of the applicant, I am of the opinion that it is a fit case where the present applicant can be released on bail.

Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
JUDGE

Bhola