

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6300 of 2015

- Hira Singh S/o Toran Singh Aged About 41 Years R/o Vill. Mushrakhurd, Tah. & P.S. Dongergarh, Civil & Rev. Distt. Rajnandgaon, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Excise Circle Dongergarh, Distt. Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rakesh Thakur, Advocate
For the Respondent	:	Mr. Vivek Singha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 134/2015 registered at P.S. Excise Circle, Dongergarh, Distt. Rajnandgaon (C.G) for the offence punishable under Sections 34(2). of the Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 77.76 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case; the charge sheet in this case has been filed and he is in jail since 01.10.2015, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application. On a query being made, he submits that according to the report of SHO, no previous antecedents are recorded against the applicant.
5. Taking into consideration the totality of the circumstances

and the fact that the charge sheet has been filed in this case; offence is triable by the JMFC and the applicant is in jail since 01.10.2015 this Court is inclined to release him on bail. Accordingly, this application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE