

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6584 of 2015

- Tarun Kumar Chandra, Son of Late A. K. Chandra, Aged About 43 Years, Caste-Bungali, Resident of Naya Bazar, Beside Gurudwara, Rajhara, Police Station-Rajhara, District-Balod (Chhattisgarh)
--- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Dalli Rajhara, District-Balod (Chhattisgarh)

--- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the Respondent	:	Ms. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.12.2015

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. 346/2015 registered at P.S. Dalli Rajhara, Distt. Balod (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid was conducted by the Police, 6.300 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 09.11.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application and submits that the concerned SHO has reported that the applicant has criminal antecedents.
5. Taking into consideration the totality of the circumstances

and the fact that the quantity of seized liquor in this case is 6.300 bulk litres; offence is triable by the JMFC and the applicant is in jail since 09.11.2015 and further looking to the fact that no similar nature of offence has been registered against the applicant, 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