

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6912 of 2015

- Rohit Yadav S/o Channu Yadav Aged About 40 Years R/o Khuntapara Dongergarh Tah. & P.S. - Dongergarh, Civil & Revenue Distt. - Rajnandgaon Chhattisgarh --- **Petitioner**

Versus

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

For the applicant	:	Mr. Shashi Bhushan Tiwari, Advocate
For the Respondent	:	Mr. S.R.J. Jaiwal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

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. 166/2015 registered at P.S. Excise Circle, Dongergarh, Distt. Rajnandgaon (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 12.780 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 19.11.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he submits that no case was registered against the applicant within a short proximity of time.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is

12.780 bulk litres; offence is triable by the JMFC and the applicant is in jail since 19.11.2015 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**

Rao