

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7002 of 2015

- Rikhi Ram S/o Sadhu Ram Kurre Aged About 22 Years R/o Village Raksa, Thana Fingeshwar, Revenue District - Gariyaband, Civil District Raipur (Chhattisgarh)

---- Petitioner

Versus

- State of Chhattisgarh through Police Station - Fingeshwar, District - Gariyaband Chhattisgarh

--- Respondent

For the applicant	:	Mr. Suresh Tandon, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.12.2015

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. 152/2015 registered at P.S.Fingeshwar, Distt. Gariyaband (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 12.600 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 17.11.2015 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 the concerned SHO has reported that the applicant has no criminal antecedents.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is

12.600 bulk litres; offence is triable by the JMFC and the applicant is in jail since 17.11.2015, 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