

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7197 of 2015

Hemkumar Sahu S/o Bishambher Sahu Aged About 26 Years
Caste Teli, R/o Village Mahaveer Nagar Puraina, Ward No. 49,
Telibandha, P.S. Telibandha, Civil & Rev. Distt. Raipur,
Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh Through The Excise Circle
Mahasamund, Distt. Mahasamund, Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.12.2015

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. 217 of 2015 registered at P.S. Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police on 17.11.2015, 1468.800 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant was engaged as labourer for loading and unloading of boxes and no seizure was made from the possession of the applicant. He further submits that due to previous enmity, the applicant has been wrongly inculpated in this case. It is also submitted that the applicant is in jail since 17.11.2015 and he may be enlarged on regular bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Looking to the quantity of illicit liquor allegedly seized from the possession of the applicant, I am not inclined to allow this application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao