

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7203 of 2015

- Deewan Singh Baghel S/o Shri Bholaram Baghel Aged About 19 Years Occupation Labour, R/o Village Harnadadar, P.S. & Tahsil Bagbahra, Civil And Rev. Distt. Mahasamund Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Patewa, 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. 116 of 2015 registered at P.S. Patewa, 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 07.08.2015, 837 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is a labourer and has been falsely implicated in this case and no seizure was made from the possession of the applicant. He further submits that the applicant is in jail since 07.08.2015 and he may be enlarged on regular bail.
4. Per contra, learned State Counsel opposes the bail application and submits that the bail application of similarly

placed co-accused Jeevan Soni, driver of the offending vehicle has been rejected by this Court and the case of the present applicant is not different from that of co-accused.

5. Taking into fact that the bail application of similarly placed co-accused has been rejected and 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**