

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2703 of 2015**

Govind Ram, S/o. Late Shri Puran Lal Mehta Singh, aged about 47 years, Caste Satnami, R/o. Village Purena Tahsil Kurud, Police Station Kurud, Civil and Revenue District Dhamtari (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, through the Office In-charge Excise Circle Dhamtari, District Dhamtari (C.G.)

---- Non-applicant

For Applicant	:	Shri Sanjeev Kumar Sahu, Advocate
For Non-applicant	:	Shri Suvigya Awasthi, Panel Lawyer for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.89/2015 registered at Police Station Excise Circle, Dhamtari, District Dhamtari, for the offence punishable under Sections 34(1)(A)(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 10.800 bulk liters of illicit liquor was seized from the possession of the present applicant and

thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant submits that the applicant has been falsely implicated in the crime in question as no liquor has been seized from the possession of the present applicant. He would further submit that the applicant is in jail since 18.05.2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel for the parties and perused the case diary.

(6) Considering the totality of the facts, in particular, the criminal antecedents of the applicant; and in view of the provisions contained in Section 59-A(ii) of the Chhattisgarh Excise Act, 1915; and the quantity of liquor seized from the possession of the present applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-