

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3786 of 2015

- Mohd. Shahjad Khan, son of Mohd. Aslam Khan, aged about 21 years, R/o. Muruk Khadan, Shivpara, Farid Nagar, Supela, Bhilai, Tahsil and District Durg (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: District Magistrate, P.S. Khamtarai, District Raipur (C.G.)

----Non-applicant

For Applicant: Mr. Jitendra Gupta, Advocate.
For Respondent/State: Mr. Suvigya Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/08/2015

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. 242/2015 registered at Police Station Khamtarai, Raipur for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 86.400 bulk liters of illicit liquor.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case, and therefore, the applicant may be released on bail.

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

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to the quantity of liquor; 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

D/-