

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3852 of 2015

Kumar Singh S/o Budhram Bhardwaj, aged about 24 years, R/o Village Thakurdiya, Police Station Nawagarh and Rev. and Civil District Janjgir Champa (C.G.).

---- Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station Nawagarh, Rev. and Civil District Janjgir Champa (C.G.).

---- Respondent

For Applicant : Shri Udho Ram Koshaley, Advocate
For Respondent/State: Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24/07/2015

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 15.07.2015 in connection with Crime No. 141 of 2015 registered at PS Nawagarh, Revenue and Civil District Janjgir Champa for the offence punishable under Section 34 (2) & 59(a) of Excise Act.

As per the prosecution, on 15.07.2015, the applicant was found to be in possession of 8.820 bulk liters of country made liquor. Subsequently, a case was registered against the applicant under the provisions of Excise Act and he was arrested in connection with the said offence.

Counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 15.07.2015, therefore, considering these facts the applicant may be released on bail.

Per contra, counsel for the State opposes the application for grant of bail.

Considering the total facts and circumstances of the case and also the quantity of liquor which is alleged to have been seized from the possession of the applicant, I am of the opinion that it is a fit case where the present applicant can be released on bail.

Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-
(P. Sam Koshy)
JUDGE**