

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4398 of 2015**

Ramakant, S/o Shri Jaglal, aged about 40 years, R/o Ramakant Kirana Stores, Near Mehman Coal Depot., Shastri Nagar, Phase-I, Bhilai, Tahsil & Civil & Revenue Distt. Durg (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh through, S.H.O., Police Station, Chhawani Bhilai, Distt. Durg (C.G.)

---- Non-applicant

For Applicants:	Shri Awadh Tripathi, Advocate.
For Respondent/State:	Shri Om. P. Sahu, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****31/08/2015**

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.431/2015 registered at Police Station Chhawani Bhilai, Distt. Durg for the offence punishable under Section 34(2) of the C.G. Excise Act.

(2) Case of the prosecution, in brief, is that 117 bulk liters of illicit liquor was seized from the possession of the present applicant .

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence. He would further submit that applicant is in jail since 04.08.2015 and, therefore, the applicant may be released on bail.

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

(5) 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 huge quantity of liquor; I am not inclined to release the applicant on bail. Thus, the bail application is rejected. However, the trial Court is directed to expedite the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-