

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6053 of 2015

Dayashankar S/o Mahjit Aged About 23 Years R/o Village
Hanoda, Police Station Utai, Distt. Durg, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through The District Magistrate
Rajnandgaon, District Rajnandgaon Chhattisgarh

---- Respondent

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the Respondent	:	Mr. Vivek Singhal, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.11.2015

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.18 of 2015 registered by Outpost Jalbandha, Police Station Khairagarh, Distt. Rajnandgaon (C.G) for the offence punishable under Sections 34(2) of the C.G. Excise Act.
2. As per the prosecution case, on 20.01.2015 the applicant was found to be transporting 144 bulk litres of illicit liquor which was seized from his possession.
3. Learned counsel for the applicant submits that the applicant is in jail since 21.1.2015 and 11 months are passed and only two witnesses have been examined. He therefore prays for releasing the applicant on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the fact that the maximum sentence is

extended upto two years and looking to the period of detention of the applicant, I am inclined to release him on bail at this stage.

6. Accordingly, this application is allowed.
7. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
8. C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**