

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5951 of 2015

Sonu @ Dewashish Rai S/o Fuleshwar Rai Aged About 21 Years
R/o Qr. No. 876, 877 (Wrongly Mentioned 776, 777), Housing
Board Colony, Kailash Nagar, Dhancha Bhawan, Bhilai, P.S. Jamul,
Distt. Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P.S. Khairagarh, Distt.
Rajnandgaon, Chhattisgarh.

---- Respondent

For applicant – Shri C.R. Sahu, Advocate.
For Respondent/State – Shri S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 240/2015 registered in Police Station Khairagarh, District Rajnandgaon (C.G.) for offence punishable under Section 34 (2) of Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring 155.520 bulk liters and he was arrested on 8/07/2015.
3. Learned State counsel has pointed out that the concerned SHO has reported that the applicant has no previous criminal antecedents and charge sheet has been filed.
4. Taking into consideration the totality of the circumstances, offence is triable by Judicial Magistrate First Class, taking into account detention

of the applicant he is in jail since 8/07/2015 and charge sheet has been filed, this Court is inclined to release the applicant on bail. Accordingly, this application is allowed.

5. It is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

6. It is made clear that if the applicant is found to be involved in similar offence again, this order granting bail to the applicant shall automatically stand cancelled without reference to the court and the concerned police shall be at liberty to re-arrest the applicant in this case also, after informing the concerned Judicial Magistrate where trial is pending.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE