

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6971 of 2015

- Prem Pradhan S/o Khemcharan Pradhan Aged About 30 Years
R/o Village Belariya, P.S. Tahsil & District Raigarh
Chhattisgarh (Wrongly Mentioned Age 50 Years in order
Sheet) --- **Petitioner**

Versus

- State of Chhattisgarh Through : District Magistrate Excise
Circle, Raigarh District Raigarh Chhattisgarh

--- **Respondent**

For the applicant	:	Mr. Amit Singh, Advocate
For the Respondent	:	Mr. Samir Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2015

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. 286/2013 registered at P.S. Excise Sub Inspector, Excise Circle Raigarh (North), Distt. Raigarh (C.G) for the offence punishable under Sections 34(1)(A)(2), 59(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police in the year 2013, 09 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the incident took place in the year 2013 and on suspicion, the applicant has been taken into custody on 19.11.2015. He submits that no seizure was made from the applicant and he has been falsely implicated in this case.
4. Per contra, learned State Counsel opposes the bail application. However, he submits that the concerned SHO

has reported that the applicant has no criminal antecedents.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 09 bulk litres; offence is triable by the JMFC and the applicant is in jail since 19.11.2015 this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. 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 as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**