

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO. 4996 of 2015**

Raju Sarathi S/o Ramkumar Sarthi, aged about 24 years, R/o Behind High School, Madrabada, Ratanpur, P.S. Ratanpur, Tah. Kota, District Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh through Station House Officer, Ratanpur, District Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Alok Kumar Gupta, Advocate
For Non-applicant	:	Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.183/2015, registered at Police Station-Ratanpur, District Bilaspur (CG), for the offence punishable under Sections 34(2) and 59A of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that the present applicant found transporting 55.8 bulk liters of country-made liquor and thereby committed he aforesaid offence.
3. Learned counsel for the applicant would submit that the present applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that liquor has not been seized from the possession of the present applicant and he is in jail since 16.8.2015 and therefore, he may be released on bail.
4. On the other hand, learned State counsel would oppose the bail application.

5. Taking into consideration the nature and gravity of offence; quantity of liquor i.e. 55.8 bulk liters seized from the applicant and further taking into consideration the provisions contained in Section 59-A(ii) of the Chhattisgarh Excise Act, this Court is not inclined to release the applicant on regular bail.

6. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

7. Certified copy as per rules.

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

B/-