

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5296 of 2015**

- Manoj Singh, S/o Kameshwar Singh, aged about 34 years, R/o New Area, Near Petrol Pump, Aurangabad House No. 3(Bihar)

Present Address- Deshi Sarab Shop Jhalap, P.S.- Patewa,
Distt. Mahasamund (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: S.H.O., Police Station, Patwa, Distt. Mahasaund (C.G.)

---- Non-applicant

For Applicant: Mr. Awadh Tripathi, Advocate.
For Respondent/State: Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/10/2015**

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. 68/2015 registered at Police Station Patwa, Distt. Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that the applicant was found in possession of 189 bulk liters of illicit liquor.

(3) Counsel for the applicant submits that the applicant has been arrested only on the basis of alleged ikrarnama executed by co-accused Punam Manikpuri in his favour, which is apparent from the statement of Ramakant Upadhyaya. He further submits that the applicant is in jail since 08.05.2015; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other Counsel for the State submits that the applicant himself admitted before the police that he was involved in the offence in question and, therefore, he is not entitled to be released on bail.

(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 huge quantity of liquor; and the other material collected by the prosecution against the applicant; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

