

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5685 of 2015

1. Manoj Soni, S/o. Ram Dular Soni, aged about 36 years, Caste-Sonar, Occupation - Labour, R/o. Village – Shantipara, Bhatgaon, Tahsil-Bhaiyathan, District Surajpur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station Bhatgaon, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharendra Mishra, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/10/2015

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.171/2015, registered at Police Station – Bhatgaon, District Surajpur (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.
2. Case of the prosecution, in brief, is that on 20.09.2015, when the raid/inspection was conducted by the police, 06 bulk liters of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant would submit that the applicant is innocent person and has been falsely implicated in the case. He would further submit that the applicant has no previous criminal antecedents. Therefore, he prays that applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and the quantum of the liquor seized, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge