

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2299 of 2016**

Akhilesh Kumar Yadav, S/o Shri Kamla Yadav, aged about 26 years, R/o Village Parsiya Sogai, Thana Saidraja, District Chandoli (UP), at present address Country Liquor Shop, Simga, District Baloda Bazar (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the Police Station Simga, Post Office Simga, District Baloda Bazar-Bhatapara (CG).

---- Non-applicant

For Applicant : Shri Deepak Jain, Advocate
For Non-applicant : Shri Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

09/05/2016**(1)** Heard.

(2) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.65/2016 registered at Police Station Simga, District Baloda Bazar-Bhatapara, for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(3) Case of the prosecution, in brief, is that 180.00 bulk liters of illicit liquor was seized by the police from the present applicant.

(4) Learned counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that he is in jail since 21.03.2016 and, therefore, he may be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) 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, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-