

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.2478 of 2016

Vinod Pardhi S/o Premlal Pardhi Aged about-35 years, Resident of Pardhi Camp, Village-Bhumiya Police Station-Tilda-Nevra, District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, through its Police Station-Tilda-Nevara, District Raipur, Civil & Revenue District Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Ravi Maheshwari, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

31/05/2016

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.66/2016, registered at Police Station-Tilda Newara, District-Raipur (CG), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that the applicant was found in illegal possession of 7.02 bulk liters of foreign liquor.
3. Learned counsel for the applicant submitted that the applicant has not committed any offence and false seizure has been made against him. It is further submitted that investigation is complete, charge-sheet has been filed and the applicant is in jail since 7.3.2016, therefore, looking to the maximum sentence which can be awarded for alleged offence, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application and submitted that the applicant is having criminal

antecedents of commission of similar offence and earlier offence under the same section has been registered against him on four occasions.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Considering the submission of learned counsel appearing for the parties, taking into consideration the quantity of liquor, period of detention of the applicant and that charge-sheet has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.20,000/-** with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed, subject to the condition that if the applicant is again found involved in similar offence, bail granted to him shall liable to be cancelled on application for cancellation that may be moved by the prosecution.

Sd/-

(Manindra Mohan Shrivastava)
VACATION JUDGE

B/-