

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3712 of 2016

- Ranjit Das S/O Lalmuni Das Aged About 28 Years R/O Krishna Nagar, Angan Badi School Manikpur, Korba, P.S. City Kotwali, Tehsil - Korba, Revenue & Civil District - Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through, Excise Department, Circle Korba (Bankimogra) District Korba Chhattisgarh

---- Respondent

For Applicant : Mr. Surfraj Khan, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14-07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 15-5-2016 in connection with Crime No. 34 of 2016, registered at Police Station Excise Department, Circle Korba (Bankimogra), District Korba (CG) for the offence punishable under Section 34 (1)(A), 34(2) and 59 (A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 32 liters and he was arrested on 15-5-2016.
3. Learned counsel appearing for the applicant submits that the applicant has been falsely implicated in the case, charge-sheet has been filed in this case, he is in jail since 15-5-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has no previous antecedents of similar offence.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 32 liters, offence is triable by the JMFC, charge-sheet in this case has been filed and the applicant is in jail since 15-5-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju