

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4187 of 2016

Jitendra Patel S/o Hemsagar Patel, Aged About 23 Years Occupation- Labourer, R/o Village-Bore, Police Station Sariya, District Raigarh, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Pusaur, District -Raigarh, Chhattisgarh.

---- Respondent

For Petitioner	:	Mr. Ashish Gupta, Advocate.
For Respondent/State	:	Mr. Anupam Pandey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

01/08/2016

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 in connection with Crime No. 127/2016 registered at Police Station- Pusaur, District- Raigarh (C.G.) for the offence punishable under Section 34(2) & 59 (A) of the C.G. Excise Act.
2. As per the case of the prosecution, on 24/06/2016, when the Applicant was carrying contraband on the motor-cycle bearing registration no. CG 13 UD 2474, he was intercepted by the police and 25.820 bulk liters of liquor was seized from his possession.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the liquor has not been seized from his possession and he is in jail since 24.06.2016, therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that there is no previous antecedent of the present applicant.
5. Considering the facts and circumstances of the case and particularly considering that the quantity of seized liquor is 25.82 bulk liters; offence is triable by the JMFC and the

applicant is in jail since 24.06.2016, this Court is inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge