

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4197 of 2016

Basant Kosle S/o Kartikram Kosle, Aged About 37 Years R/o Village - Bade Jaroud,
Police Station - Bhatapara (Gramin), District - Baloda Bazar - Bhatapara Chhattisgarh

---- Applicant

Versus

The State Of Chhattisgarh Through : State Level Udandasta, Raipur, Distt. Raipur
Chhattisgarh

---- Respondent

For Applicant	:	Mr. Manoj Kumar Sinha, Advocate.
For Respondent/State	:	Mrs. Sobha Kashyap, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

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. 158/2016 registered at Police Station- State Level Udandasta, Raipur, Distt- Raipur (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per the case of the prosecution, on 23/06/2016, the State Level Udandasta, Raipur has made raid and seized 35.28 bulk liters of country made liquor from the possession of the applicant and ultimately the offence was registered.
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 23/06/2016, therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and particularly considering that the quantity of seized liquor is 35.28 bulk liters; offence is triable by the JMFC and the applicant is in jail since 23/06/2016, I am 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