

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 45 of 2016

- Deonath Dhruw S/o Darasram Dhruw Aged About 36 Years
R/o Village Kukurdi, Police Station City Kotwali, Civil &
Revenue District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through The Station House Officer,
Police Station City Kotwali, Civil & Revenue District Baloda
Bazar - Bhatapara Chhattisgarh

--- Respondent

For the applicant	:	Mr. Janakram Verma, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 464/2015 registered at P.S. City Kotwali, Balodabazar, District Baloda Bazar-Bhatapara (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution case, in brief, is that when a raid was conducted, 08.240 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 29.12.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he she submits that the concerned SHO has reported that the applicant has no past antecedents.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 08.240 bulk litres; offence is triable by the JMFC and the applicant is in jail since 29.12.2015, this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE