

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5155 of 2016

Mohan Lal Mandle S/o Laduram Mandle Aged About 34 Years R/o Village Gaitara,
Police Station Palari, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Palari,
Outpost Gidhpuri, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent	:	Mr. Neeraj Kumar Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

05/09/2016

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.296/2016, registered at Police Station- Palari, outpost Gidhpuri, District- Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that on the secret information, the police conducted the raid and seized 6.48 country made liquor from the possession of the present applicant.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 03/08/2016; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 6.48 bulk liters; offence is triable by the JMFC and the applicant is in jail since 03/08/2016, 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

Rahul