

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6800 of 2015**

- Ramratan Satnami S/o Akkhechandra Satnami, Aged About 55 Years R/o Village Bhaibod, Police Station Bilha, Tehsil Bilha, Revenue and Civil District Bilaspur (Chhattisgarh)  
--- **Petitioner**

**Versus**

- State of Chhattisgarh through Officer - In - Charge, Excise Circle Bilha, Revenue And Civil District Bilaspur (Chhattisgarh)  
--- **Respondent**

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| For the applicant  | : | Mr. Mahendra Dubey, Advocate    |
| For the Respondent | : | Mr. Vivek Singhal, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**04.01.2016**

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. 245 of 2015 registered at P.S. Bilha, Revenue and Civil District Bilaspur (C.G) for the offence punishable under Section 34(1)(A), 34(2), 59(A) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 7.380 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 06.11.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application and submits that similar nature offence was registered against the applicant in the year 2015 itself for keeping 2.160 bulk litres. Learned counsel for the applicant

submits that the applicant has been acquitted in previous case by order dated 28.08.2015 passed in Criminal case No. 299/2015.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 7.380 bulk litres; offence is triable by the JMFC and the applicant is in jail since 06.11.2015 as also looking to the fact that in previous case, the applicant has been acquitted by the Court below by order dated 28.08.2015 passed in Criminal Case No.299/2015 wherein a small quantity of 2.160 litres of illicit liquor was alleged to be seized, I am 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**