

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No. 7730 of 2015

- Janak, son of Thukeli Satnami, aged about 42 years, r/o village Khaparadih, PS Suhela, district Balodabazar - Bhatapara (CG)

---- Applicant (In Jail)

Versus

- State of Chhattisgarh, through : The Station House Officer, PS Suhela, District Balodabazar - Bhatapara (CG)

---- Non-applicant

For Applicant	:	Shri Yogesh Chandra, Advocate
For Respondent/State	:	Ms Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2016

- 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.156/2015, registered at Police Station, district Balodabazar-Bhatapara (CG) for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
- 2) The prosecution alleges that on receiving information, Police of Suhela reached the spot and recovered 14.4 bulk liter wine from the possession of the present applicant.

- 3) Learned counsel for the applicant submits that the applicant is in jail since 13.12.2015 and he has no previous criminal antecedents on record, as the seizure having been made, no further investigation is necessary in this matter, therefore, the applicant may be released on regular bail.
- 4) Per contra, learned State counsel opposes the bail application, however, she does not dispute the fact that the applicant has no criminal antecedents.
- 5) Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 14.4 bulk litres; offence is triable by the JMFC and the applicant is in jail since 13.12.2015, this Court is inclined to release him on bail. Accordingly, this application is allowed.
- 6) Accordingly, 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 said Court as and when directed by the said Court.

Certified copy as per rules.

sd/-

(Goutam Bhaduri)
JUDGE