

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2336 of 2016

- Radhe Manjhi S/o Jholuram Manjhi Aged About 38 Years R/o Indira, Awas, Tumidih, Police Station Punjipathra, District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Punjipathra, District Raigarh Chhattisgarh.

---- Non-Applicant

For Applicant : Mr. Manoj Kumar Jaisawal, Advocate

For Respondent : Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/06/2016

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.29/2016 registered at Police Station- Punjipathra, Distt. Raigarh (C.G.) for the offence punishable under Sections 34(1-A) (2), 59(1)(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 5.5 bulk liters and he was arrested on 07.03.2016.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 07.03.2016 and charge-sheet has already been filed; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. I have perused the case diary and the documents.

6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 5.5 bulk liters, offence is triable by the JMFC and the applicant is in jail since 07.03.2016, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Sd/-
(Goutam Bhaduri)
Judge

chandra