

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.2343 of 2016

Rakesh Yadav, S/o Dashrath Yadav, aged about 38 years, R/o Village Sirsa Khurd, Chowki Jewra, Tehsil and District Durg, Civil and Revenue District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Avinash Chand Sahu, Advocate.
For Non-applicant:	Mr. Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/05/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.147/2016, registered at Police Station (Chowki Jewra Sirsa) Pulgaon, Distt. Durg, for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. Case of the prosecution, in brief, is that, 22.500 bulk litres of liquor was seized from the possession of the present applicant.
3. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of liquor seized from the applicant and also considering that the applicant is first offender and he is in custody since 22-3-2016, I am of the view that it is a fit case to enlarge the applicant on bail. Accordingly, the application is allowed.
4. It is directed that in the event of applicant's executing a personal bond for a sum of Rs.25,000/- with two sureties for the like amount to the satisfaction of the trial Court concerned, he shall be released on bail. He is directed to appear before the trial Court on each and every date given by the said Court. It is made clear that if the

applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall automatically stand cancelled without reference to the Bench.

Sd/-
Vacation Judge
(Prashant Kumar Mishra)

Soma