

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7278 of 2016

- Neelkanth Patel @ Poi S/o Champu Patel, Aged About 20 Years R/o Patel Para Aarang, Police Station Aarang, District Raipur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through its Police Station Aarang, Civil & Revenue District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	: Mr. Rekhraj Baghel, Advocate
For the Respondent	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

13.12.2016

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. 297/2016 (as per the covering memo filed by the counsel for the applicant) registered at P.S. Arang, Distt. Raipur (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 5.400 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no seizure was made in person from him. He further submits that the applicant is in jail since 07.08.2016 and the charge sheet having been filed, no further investigation is necessary, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.

5. Taking into consideration the facts and circumstances of the case especially the fact that the charge sheet in this case has been filed; offence is triable by the JMFC and the applicant is in jail since 07.08.2016 and further looking to the quantity of liquor i.e., 5.400 bulk litres, this Court is 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 shall also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE