

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1136 of 2016**

Manoj Bharti, S/o Shri Mangal Das Satnami, aged about 36 years,
R/o Village Bordehi, Outpost Chandnu, Police Station Nandghat,
District Bemetara (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station
Nandghat, Outpost Chandnu, District Bemetara (CG).

---- Non-applicant.

For Applicant : Shri Shiv Sahu, Advocate
For Non-applicant/State : Shri Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

08/03/2016**(1)** Heard.

(2) This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.544/2015 registered at Police Station Nandghat (outpost-Chandnu), District Bemetara for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(3) Case of the prosecution, in brief, is that, the present applicant was found in possession of 129.600 bulk liters of illicit liquor.

(4) Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the case and therefore, the applicant may be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and further taking into consideration the

provisions contained in Section 59-A(i) of the Chhattisgarh Excise Act and quantity of liquor seized from the possession of present applicant, I am not inclined to release the applicant on bail. Consequently, the bail application is rejected.

(7) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-