

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1889 of 2016

- Bhupendra Singh S/O Shri P.R. Thakur Aged About 34 Years R/O Jailpara, Sarangarh, P.S. & Tahsil Sarangarh, District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Sarangarh, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sudeep Agrawal, Advocate.
For Respondent	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Inder Singh Uboweja

Order on Board

(12-04-2016)

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 24-2-2016 in connection with crime No.73 of 2016 registered at Police Station Sarangarh, District Raigarh (CG), for the offence punishable under Sections 34(1)(A-2) and 59 of the CG Excise Act.
2. The case of the prosecution, in brief, is that the applicant was found in possession of 81 bulk litres of country made liquor without any authority of law.
3. Learned counsel appearing for the applicant would submit that present applicant has been falsely implicated in the case, nothing has been seized from the possession of the applicant. He would further submit that the applicant is in jail since 24-2-2016, therefore, he may be released on bail.
4. On the other hand, learned counsel appearing for the State opposing the bail application would submit that the aforesaid liquor was seized from the present applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, considering huge quantity of the liquor and in view of the provisions of Section 59 -A (ii) of the Act, I am not inclined to grant bail to the applicant.
7. Accordingly, the instant M.Cr.C. is liable to be and is hereby rejected.

Sd/-
(I.S. Uboweja)
JUDGE

Raju