

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3379 of 2016

- Santosh Sahu S/o Butaku Aged About 60 Years Occupation Labour, R/o Village Baispali, Police Station Kotraroad Raigarh, District Raigarh, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kotraroad, Raigarh, Civil & Revenue District Raigarh, Chhattisgarh. --- **Respondent**

For the applicant	: Mr. Manoj Kumar Jaiswal, Advocate
For the Respondent	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.07.2016

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. 127 of 2016 registered at P.S. Kotra-road, Raigarh, Distt. Raigarh (C.G) for the offence punishable under Sections 34(1)(A) (2) & 59(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police on 15.05.2016, 25.200 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 15.05.2016 and the alleged seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 25.200 bulk litres; offence is triable by the JMFC and the

applicant is in jail since 15.05.2016 this Court is inclined to release him on bail.

6. Accordingly, this application is allowed and 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

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