

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4195 of 2016

Satyanand Gupta S/o Ravi Shankar Gupta, Aged About 22 Years R/o Village -
Saheb Nagar Near Medical College Raigarh Distt. Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - The Police Station - Pusour District - Raigarh
Chhattisgarh

---- Respondent

For Applicant	:	Mr. A.N. Pandey, Advocate.
For Respondent/State	:	Mr. Sumit Jhawar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri
Order On Board By

01/08/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 127/2016 registered at Police Station- Pusour Distt- Raigarh (C.G.) for the offence punishable under Sections 34(2) & 59(A) of the C.G. Excise Act.
2. As per the case of the prosecution, on 24/06/2016, the police of police station – Pusour has arrested the applicant along with one another, who were illegally possessing 25.92 bulk liters of liquor and ultimately the offence was registered.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the liquor has not been seized from his possession and he is in jail since 24/06/2016, therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and particularly considering that the quantity of seized liquor is 25.92 bulk liters; offence is triable by the JMFC and the applicant is in jail since 24/06/2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge