

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 130 of 2016

- Sunil Kumar Chaude S/o Kewalram Chaude Aged About 25 Years R/o Near Gayatri Mandir Ward No. 25 P.S. Mohan Nagar Durg Tehsil and District Durg Civil And Rev. Distt. Durg Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through District Magistrate District Durg Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Avinash Chand Sahu, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.01.2016

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. 612 of 2015 registered at P.S. Pulgaon, Distt. Durg (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution case in brief is that when a raid was conducted 27 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the recovery has not been made from this applicant and only on presumption, he has been implicated in this Case. He further submits that the applicant is in jail since 02.12.2015, therefore, he may be enlarged on bail.
4. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 27 bulk litres; offence is triable by the JMFC and the applicant is in jail since 02.12.2015 this Court is inclined to

release him on bail. Accordingly, this application is allowed.

5. 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 is directed to appear before the trial Court as and when directed by the said Court.
6. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao