

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 135 of 2016

- Jaanelal Pardhi S/o Basanlal Pardhi Aged About 50 Years R/o Village Bahera, Thana / Tahsil - Bemetara, Revenue / Civil Distt. - Bemetara, Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through - Police Station - Bemetara, Revenue Civil Distt. - Bemetara Chhattisgarh -- **Respondent**

For the applicant	:	Mr. Samir Singh, Advocate
For the Respondent	:	Mr. Anupam Dubey, 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. 756 of 2015 registered at P.S. Bemetara, Distt. Bemetara (C.G) for the offence punishable under Sections 34 (2) of the Excise Act.
2. The prosecution case, in brief, is that when a raid was conducted 5.400 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 05.12.2015 and the 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 5.400 bulk litres; offence is triable by the JMFC and the applicant is in jail since 05.12.2015 this Court is inclined to

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

6. 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.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao