

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 898 of 2016**

- Arun Kumar Soni, S/o Rajkumar Soni, aged about 27 years, R/o Baloda Bazar, Police Station and Tahsil Baloda Bazar, Civil and Revenue District Baloda Bazar-Bhatapara (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh, Through: Station House Officer, Police of Police Station Simga, District Baloda Bazar, Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Anil Gulati, Advocate.
 For Non-applicant/State: Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 421/2015 registered at Police Station Simga, District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 96.48 bulk liters of illicit liquor was seized by the police from the present applicant.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence. He would further submit that applicant is in jail since 28.12.2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to huge quantity of liquor; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-