

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2269 of 2016**

- Seetaram Sahu, S/o. Shri Chakradhar Sahu, aged about 50 years, Permanent R/o.- Village – Malipara Nandeli, P/s.- Kotra Road, Tahsil- Raigarh, Civil and Revenue District- Raigarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station-Kotra Road, District Raigarh (C.G.)

---- Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/05/2016**

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. 75/2016 registered at Police Station Kotra Road, District – Raigarh for the offence punishable under Sections 34(1)(A)(2) and 59(A) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 127.980 bulk liters of illicit liquor was seized from the possession of the present applicant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as no liquor has been seized from the possession of the present applicant. He would further submit that applicant is in jail since 22.03.2016 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/-