

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3774 of 2016

Chiniram, S/o. Lekhan Majhi, aged about 50 years, R/o. Village – Barpali, P.S. - Pujipathara, Tahsil - Tamnar, District – Raigarh (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Pujipathara, District – Raigarh (C.G.)

---- Respondent

For Applicant	:	Mr. Vineet Kumar Pandey, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

22/07/2016

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.20/2016, registered at Police Station- Pujipathara, District – Raigarh (C.G.) for the offence punishable under Section 34 (1) (क), 59 (1) (क) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 9.750 bulk liters and he was arrested on 15.02.2016.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 15.02.2016; therefore, he may be released on bail.
4. Per contra learned counsel for the State opposes the prayer for grant of bail.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 9.750 bulk liters; offence is triable by the JMFC and the applicant is in jail since 15.02.2016, this Court is 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 today.

Sd/-
(Goutam Bhaduri)
Judge