

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3989 of 2016**

Ramgopal, S/o Derha Satnami, Aged About 48 Years, R/o behind Police Station Civil Line, Simga, Police Station- Simga, Tahsil & District Balod Bazar - Bhatapara Chhattisgarh

**---- Applicant**

**Versus**

State of Chhattisgarh, Through :- Excise Circle, Simga, District Baloda Bazar - Bhatapara Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**25 /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. 66/2016 registered at - Police Station- Excise Circle Simga, District Baloda Bazar, Bhatapara (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 10.08 bulk liters and he was arrested on 06.06.2016.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the applicant is in jail since 06.06.2016, therefore, he may be released on bail.
4. Learned State counsel 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 10.08 bulk liters; offence is triable by the JMFC and the applicant is in jail since 06.06.2016, 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.

**Sd/-**  
**(Goutam Bhaduri)**  
**Judge**