

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4004 of 2016

Rajjupuri Goswami, S/o Basantpuri Goswami, Aged About 42 Years, R/o Village Hedaspur, P.S. Lalpur, Tehsil Mungeli, Civil District Bilaspur & Revenue District Mungeli, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Police Station Lalpur, Civil District Bilaspur & Revenue District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pallav Mishra, Advocate

For Respondent/State : Ms. Shobha Kashyap, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26 /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. 116/2016 registered at – Police Station Lalpur, Civil District Bilaspur and Revenue District Mungeli (C.G.) for the offence punishable under Sections 34(1)(A), 34(2) and 59 (A) of the Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 7.110 bulk liters and he was arrested on 17.06.2016.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the applicant is in jail since 17.06.2016, 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 7.110 bulk liters; offence is triable by the JMFC and the applicant is in jail since 17.06.2016, 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