

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4189 of 2016

Khelan Ram Mandle S/o Milap Ram Mandle, Aged About 45 Years R/o Village -Rohina,
Police Station & Post Office - Rajim, District - Gariyaband Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Fingeshwar,
District - Gariyaband Chhattisgarh.

---- Respondent

For Petitioner	:	Mr. Shivendu Pandaya, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

01/08/2016

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- Fingeshwar, District- Gariyaband (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per the case of the prosecution, on 15/06/2016, the police has arrested the present applicant, who was found in possession of 58.500 liters of illicit liquor.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the liquor has not been seized from his possession and he is in jail since 15/06/2016, therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and particularly considering that the quantity of seized liquor is 58.500 liters; offence is triable by the JMFC and the applicant is in jail since 15/06/2016, 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge