

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4227 of 2016

Arvind S/o Rajendra Yadav Aged About 32 Years R/o Sathan
Raigarh, P.S. Baluma, District Chandouri, Uttar Pradesh. At Present
Wine Shop Sahaspur Lohara, District Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Sahaspur
Lohara, District Kabirdham, Chhattisgarh.

---- Respondent

For applicant - Shri Ajay Ayachi, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/08/2016

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge sheet.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.80/2016 registered in Police Station Sahaspur Lohara, Dist. Kabirdham (C.G.) for offence punishable under sections 279, 337 of Indian Penal Code and 34 (2) of Excise Act.
3. As per the prosecution case, on 25/04/2016 on a raid being made from the possession of the applicant while he was transporting 94.500 bulk liters of liquor was seized.
4. Learned counsel for the applicant submits that applicant has been falsely implicated, no seizure has been made in person from the applicant and charge sheet has been filed, therefore the applicant may be released on bail.
5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the facts and circumstances of the case and taking into fact that charge sheet has been filed and applicant is in jail since 25/04/2016, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE