

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4743 of 2016

Sanjay Mishra S/o Udaybhan Mishra, Aged About 45 Years, R/o
Village - Semra, P.S. - Pondi District - Korea Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
- Pondi, District - Korea Chhattisgarh

---- Respondent

For applicant - Shri F.S. Khare, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.72/2016 registered in Police Station Pondi, District-Korea (C.G.) for offence punishable under section 34 (2) of C.G. Excise Act.
2. As per the prosecution case, on raid being conducted on 12/05/2016 from the possession of the applicant 69 bulk liters of liquor was seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, no seizure was made in person from the applicant and seizure witnesses namely Jitendra Rai and Manoj Kumar Tiwari have been examined and they have not supported the case of the prosecution, therefore the applicant may be released on bail.
4. Learned State counsel is not able to dispute the fact that both the seizure witnesses have not supported the case of the prosecution.
5. Considering the fact, without further observation, this court is inclined to release the applicant on bail.

6. 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 surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE