

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7580 of 2015

Dev Prasad S/o Bisheshar Yadav Aged About 24 Years R/o Village
Latua, P.S. City Kotwali, District - Baloda Bazar - Bhatapara
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Excise Department, Flying
Squad Raipur, Chhattisgarh, District Raipur Chhattisgarh.

---- Respondent

For applicant - Shri Hemant Gupta, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Criminal Case No.226/2015 registered in Police Station Excise Department, Flying squad Raipur, C.G. for offence punishable under section 34 (2) of Excise Act.
2. As per the prosecution case on 6/08/2015 on information received, place was raided and applicant was found to have carried 2520 bulk liters of liquor which was being unloaded in the godown. It is case of prosecution that he is driver of the vehicle C.G. 04 JB 5054 who was caught on the spot.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case and only liquor was being unloaded and he is not owner of the liquor, therefore he has been falsely implicated in this case and he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. I have perused the panchnama. Prima facie it shows that said liquor

was seized from possession of this applicant. Considering the nature of offence, the way it has been committed and the quantity of liquor seized, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE