

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5254 of 2016

- Ritesh @ Guddu Sahu S/o Gowardhan Sahu Aged About 32 Years R/o Ramsagarpara, Near Karma School, Post Office Raipur, Police Station Azad Chowk, Raipur, Tahsil & District Raipur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	: Mr. Shivendu Pandya, Advocate
For the Respondent	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.09.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 169/2016 registered at P.S. Azad Chowk, District Raipur (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 9.900 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no seizure was made in person from him. He further submits that the charge sheet in this case has been filed; no further investigation is necessary and applicant is in jail since 23.07.2016 therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail

application.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 9.900 bulk litres; Charge Sheet has been filed in this case; offence is triable by the JMFC and the applicant is stated to be in jail since 23.07.2016, this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE