

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5788 of 2016

- Sonu Kumar Sahu S/o Gend Lal @ Gendu Ram Sahu Aged About 20 Years Permanent R/o Mother Teresa Nagar, Camp-1, Chhawani, P.S. Chhawani, Tahsil & District Durg Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Mandir Hasoud, District Raipur Chhattisgarh. --- **Respondent**

For the applicant	: Mr. Jitendra Gupta, Advocate
For the Respondent	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 158/2016 registered at P.S. Mandir Hasoud, 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, 51.840 bulk litres of illicit liquor was seized from the possession of the applicant and at the same time, another 51.840 bulk litres was seized from accused Karan Singh.
3. Learned counsel for the applicant submits that the applicant is driver of the vehicle and he has been falsely implicated in this case as no seizure was made in person from him. He further submits that one of the accused Karan Singh has been released on regular bail by this Court vide order dated 05.09.2016 passed in M.Cr.C.No.5149/2016. It is further

submitted that the applicant is in jail since 20.6.2016 therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he do not dispute the fact that accused Karan Singh has been enlarged on bail by this Court.
5. Taking into consideration the fact that one of the accused Karan Singh relating to same crime number has been enlarged on bail by this Court and further looking to the period of detention of the present applicant as he is stated to be in jail since 20.06.2016, this Court is inclined to allow this bail application. 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**