

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6033 of 2017

- Rohit Sen S/o Sarju Prasad Sen, Aged About 43 Years R/o Mathpara, Gandhi Nagar, Pandri, Tahsil & District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, District Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. P.P. Sahu, Advocate.
For Respondent	:	Mr. UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

09/11/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 502/2017, registered at Police Station- Civil Line, District – Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 6.3 bulk liters and he was arrested on 02.08.2017.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 02.08.2017; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that 12 previous cases registered against the

applicant under various provisions of IPC.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 6.3 bulk liters. There is no report as to previous conviction recorded against the applicant; offence is triable by the JMFC and the applicant is in jail since 02.08.2017, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge