

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 669 of 2017**

- Sunil Shukla S/o Shri Sursari Shukla, Aged About 22 Years R/o Rawabhata Pragati Chowk, Thana Khamtarai, Tahsil & District Raipur Chhattisgarh --- **Applicant**

**Versus**

- State of Chhattisgarh through the Aarakshi Kendra, Police Station Khamtarai, District Raipur Chhattisgarh --- **Respondent**

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| For the applicant  | : Mr. Sandeep Singh, Advocate   |
| For the Respondent | : Mr. Wasim Miyan, Panel Lawyer |

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**Hon'ble Shri Justice GOUTAM BHADURI**

**Order on Board**

**13.02.2017**

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.554/2016 registered at P.S. Khamtarai, Raipur, Distt. Raipur (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid was conducted by the Police on 25.12.2016, from the possession of the applicant 5.400 bulk litres of illicit liquor was seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no seizure was made in person from him. He further submits that the applicant is in jail since 10.01.2017 and the alleged seizure having been made, no further investigation is necessary, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application. However, he is not able to dispute the fact that earlier any case of similar nature u/s 34(2) of the C.G. Excise

Act was registered against him.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is only 5.400 bulk litres; offence is triable by the JMFC and the applicant is in jail since 10.01.2017 this Court is inclined to release him on bail.
6. Accordingly, this application is allowed and 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**

Rao