

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 978 of 2017**

Jai Singh S/o Nand Kumar Bandhe, aged about 22 years, R/o Gaurpari PS  
Sahaspur Lohara, District Kabirdham, (C.G.)

**----Applicant****Versus**

State of Chhattisgarh, Through: Station House Officer, PS Sahaspur Lohara,  
District Kabirdham, Chhattisgarh

**---- Non-Applicant**

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For Applicant : Shri Ajay Ayachi, Advocate.  
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****02/03/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.18 of 2017, registered at Police Station Sahaspur Lohara, District Kabirdham, Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that on 16.01.2017, the police received a secret information with regard to transportation of liquor upon which a raid was conducted. In the said raid, 27 bulk liters of illicit country made liquor was found in possession of the applicant.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He is in jail since 16.01.2017. Therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that as per the information received from the concerned Station House Officer, the applicant has no previous antecedents of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 27 bulk liters, the offence is triable by the JMFC and the applicant is in jail since 16.01.2017, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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/-  
**(Goutam Bhaduri)**  
Judge