

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1227 of 2017**

- Ranjay Gupta S/o Nileshwar Gupta, Aged About 40 Years R/o Mohalla, Gandhi Nagar, Thana Aurangabad, District Aurangabad ( Bihar ) At Present R/o County Liquor Shop, Lavan, Police Chowki Lavan, Thana Kasdol, District Baloda Bazaar Bhatapara Chhattisgarh --- **Applicant**

**Versus**

- State of Chhattisgarh through the Police Chowki Lavan, Thana Kasdol, District Baloda Bazar Bhatapara Chhattisgarh -- **Respondent**

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| For the applicant  | : | Mr. Deepak Jain, Advocate        |
| For the Respondent | : | Mr. Ashok Swarnkar, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**07.03.2017**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 31/2017 registered at Police Chowki Lavan, Thana Kasdol, Distt. Baloda Bazar (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution case, on 29.1.2017 the police received information that illicit liquor was being transported in Bolero vehilce No.C.G. HC/4867 and in pursuance when a raid was conducted by the police 168 bulk litres of liquor was recovered.
3. Learned counsel for the applicant would submit that no seizure was made in person from the applicant and he has been falsely implicated in this case. He further submits that since the alleged seizure has already been made, no further

investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary statements. Considering the facts and circumstances of the case and the quantity of liquor so seized, I am not inclined to allow this bail application. Accordingly, it is rejected.
6. However, the petitioner shall be at liberty to repeat the same after examination of the seizure witnesses.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**

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