

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.2721 of 2017**

- Kamlesh Singh S/o Ramjeet Singh, Aged About 34 Years R/o Chanda Colony, Police Station Basantpur, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Somani, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ajay Ayachi, Advocate
For Respondent/State	: Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****10.7.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.23/2017 registered in Police Station Somani, Distt. Rajnandgaon (CG) for the offence punishable under Section 34(2) of the CG Excise Act, 1915.

3. Learned counsel for the applicant submits that the applicant has been arrested on 07.3.2017, after investigation, concerned police has filed charge sheet against the present applicant, which is pending before Chief Judicial Magistrate, Rajnandgaon. Learned counsel for the applicant submits that the applicant was merely a driver of the Bolero, as instructed by the concerned, he had taken the vehicle, he was not aware whether the goods in the vehicle was

legally permissible to take out or not. It appears from the statement of Pinto and Jaleshwar that the applicant is the driver of the said vehicle, he was falsely implicated by filing false affidavit by Ashok Singh who wants to get the vehicle on superdnama.

4. Per contra, learned counsel for the State opposes the bail application on the ground of huge quantity of liquor i.e. 279 bulk country made liter has been seized from the applicant.

5. Perused the entire material.

6. On due consideration, as huge quantity of liquor has been seized from the possession of the applicant along with Bolero vehicle bearing registration No.CG-07-BA-5130, without any documents legally required for transportation of the said liquor, I am not inclined to grant bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE