

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2588 of 2017

Mohammad Arman S/o Farukh Mohammad, Aged About 20 Years R/o Village Sohagpur, Police Station Urga, Tahsil Kartala, District- Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through: District Magistrate, Police Station Urga, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Basant Kaiwartya, Advocate
For Respondent / State	:	Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15/06/2017

1. The present applicant is in jail since 05/04/2017 in connection with Crime No.79/2017 registered at police station – Urga, District – Korba CG) for the offences punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
2. The allegation against the present applicant is that on the date when the raid was conducted, the police parties found 86.400 bulk liters of country made liquor from the house of the present applicant.
3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the said case. He submits that he was not the only inmate but there were other persons also in the house. It is submitted that the applicant is totally unaware of the circumstances and he has been falsely implicated only on account of the fact that it was he, who was available in the house.
4. Learned State counsel, however, opposes bail application and submits that since the quantity of liquor seized is huge, the applicant is not entitled to be released on bail.
5. Considering the facts and circumstances of the case, particularly the fact that

from the case diary, it is not reflected that the applicant was the only inmate available in the house and the property belongs to the present applicant, this Court is of the opinion that *prima facie*, strong case is made out.

6. Accordingly, the bail application filed under Section 439 of CrPC is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
V. JUDGE