

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2834 of 2017

- Anujram Kenwat, S/o Phoolsingh, aged about 30 years, R/o Village – Okhar, Out Post – Pachpedi, Police Station – Masturi, Civil and Revenue District – Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through - Station House Officer, Out Post – Pachpedi, Police Station – Masturi, District – Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Dharmesh Shrivastava, Advocate
For Respondent/State	: Shri U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board

05-06-2017

1. I.A. No.1/2017, application for urgent hearing and I.A. No.2/2017, application for hearing during summer vacation stand disposed of.
2. Heard the matter finally.
3. The applicant has preferred this application for grant of bail as he is arrested on 01-04-2017 in connection with Crime No.134/2017 registered in Out Post – Pachpedi, Police Station – Masturi, District - Bilaspur, Chhattisgarh for offence punishable under Section 34(2), 36 & 59(a) of the C.G. Excise Act, 1915 (in short 'the Act, 1915').
4. Learned counsel for the applicant would submit that after investigation police has filed charge sheet which is pending before Judicial Magistrate First Class, Bilaspur as Criminal Case No. 1515/2017 and the trial may take some time and as per allegation 225 bulk liter of country made liquor has been seized from the possession of the applicant. Applicant is a disabled person, he may be granted bail during the trial.

5. Per contra, learned counsel for the State/respondent opposed the argument advanced on behalf of the applicant on the basis of huge quantity of liquor so seized, though fairly submits that there is no any criminal antecedents of the applicant.
6. Perused the entire matter.
7. The applicant is aged about 30 years and from his conscious possession 225 bulk liter country made liquor has been seized and also the self possessed Rs.640/- has been seized. Looking to the huge quantity of country made liquor and the fact that he was illegally selling the said liquor, I am not inclined to release the applicant on bail. The instant MCRC is accordingly dismissed.
8. Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Vacation Judge