

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3534 of 2017

- Madan Kathiriya (wrongly mentioned in cause title as Kalesiya) S/o Lalta Prasad, Aged About 30 Years, R/o Bhairamgarh, Police Station and Tahsil Bhairamgarh, District- Bijapur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through, Station House Officer, Police Station Bhairamgarh, District- Bijapur, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Awadh Tripathi, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14-06-2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.15/2017 registered in Police Station Bhairamgarh, District Bijapur, C.G. for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring 18.250 bulk liter and he was arrested on 19-04-2017.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 19-04-2017; therefore he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, 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 18.250 bulk liter; offence is triable by the JMFC and the applicant is in jail since 19-04-2017, 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 the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one solvent surety in the like sum to the satisfaction of the concerned trial court for his appearance before the said court as and when directed.

8. C.C. as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge

Aadil