

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.5882 of 2017**

- Mahendra Kumar @ Mohit Gada S/o Harak Gada, Aged About 32 Years R/o Village Phoolwari Kala, Thana And Tahsil Bagbahara District Mahasamund Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bagbahara, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant : Shri Vikash Pradhan, Advocate
 For Respondent/State : Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.10.2017**

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.149/2017 registered in Police Station Bagbahara, Distt. Mahasamund (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

3. Case of the prosecution in brief is that 23.600 bulk liters of illicit country liquor has been seized by the Police from the possession of the present applicant.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and he is in jail since 25.7.2017, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Considering the quantity of liquor which is alleged to have been seized from the possession of the applicant and also the fact that the applicant is in jail since 25.7.2017, prima facie, I am of the opinion that it is a fit case where the present applicant can be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE