

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 01 of 2017**

Manoj Kumar S/o Shri Dhanuram, aged about 32 years, by caste Kewat, R/o Village Aamakhoha, Thana Kasdol, Civil and Revenue District Baloda Bazar-Bhatapar (CG).

-----Applicant

Versus

The State of Chhattisgarh through Police Station Kasdol, Distt. Baloda Bazar-Bhatapara (CG).

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate.
For Respondent	:	Shri Ashok Swarnakar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

03/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.462 of 2016 registered at police station, Kasdol, for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Learned counsel appearing for the applicant submits that the applicant was not present at the place of incident and that seizure was not made from him and as such no case is made out against him under the provisions of Excise Act, and therefore, he may be released on anticipatory bail.
3. However, a perusal of case diary would reflect that there is statement of one Prem Lal Ratre, seizure witness, who has categorically stated that when the police team reached to the spot, the present applicant fled away from the place of occurrence and seizure was made from the spot.
4. Considering the materials available in the case diary and also taking into

consideration the statement of Prem Lal Ratre, this court is of the opinion that no strong case is made out for grant of anticipatory bail. Accordingly, the anticipatory bail application is rejected.

Sd/-
(P. Sam Koshy)
Judge

inder