

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2442 of 2017

Govinda Sahu S/o Samaru Sahu, Aged About 28 Years R/o
Badhaipara, Shivnagar, Police Station Azad Chowk Civil & Revenue
District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Azad Chowk, District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Girdhari Lal Verma, Advocate.
For Respondent/State –Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/04/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 17/01/2017 vide M.Cr.C. No.8688/2016 with liberty to repeat the same after examination of the seizure witnesses.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.254/2016 registered in Police Station Azad Chowk, Civil and Revenue District Raipur (C.G.) for offence punishable under section 34 (2) of Chhattisgarh Excise Act.
3. As per the prosecution case, on 19/10/2016 on a raid being made from the possession of the applicant 6.300 bulk liters of liquor was seized.
4. Learned counsel for the applicant submits that seizure witnesses namely Ganesh Jaiswal and Madan Singh Kashyap have been examined and they have not supported the case of the prosecution, therefore the applicant may be released on bail.
5. Learned State counsel do not dispute the fact that seizure witnesses namely Ganesh Jaiswal and Madan Singh Kashyap have been

examined and they have not supported the case of the prosecution.

6. Considering the facts and circumstances of the case and also for the fact that seizure witnesses namely Ganesh Jaiswal and Madan Singh Kashyap have been examined and they have not supported the case of the prosecution, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE