

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3834 of 2017

- Kamal @ Raj S/o Late Shri Rajkumar Sonwani, Aged About 25 Years, Caste- Satnami, R/o Village Patharra, Chowki - Chilfi, Police Station Lormi, District Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Lormi, District Mungeli, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Arun Kochar, Advocate.

For Non-applicant/State – Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

06-07-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.114/2017 on 02-4-2017 by P.S. Lormi, District Mungeli, C.G. for the offence under Section 34(2) of the C.G. Excise Act, 1915. After investigation police had filed the charge sheet which is presently pending before the JMFC Mungeli, C.G. as Criminal Case No.532/17. As per the allegation, 171 bulk liter country liquor has been seized from the applicant. Police had not collected any material regarding ownership of the said house from where police allegedly seized the said liquor from the applicant. Trial may take some time. The offence is triable by the JMFC. Hence, the applicant may be enlarged on bail. Earlier the applicant had filed MCRC No.2780/2017. On 18-05-2017 the said MCRC was disposed of as withdrawn at the request of learned counsel for the applicant.
3. Per contra, learned counsel for the State/non-applicant opposed the argument advanced on behalf of the applicant on the basis of the huge quantity of liquor so seized from the applicant, though fairly conceded that there was no any criminal antecedent of the applicant.
4. Perused the entire material.

5. On consideration of the huge quantity of liquor seized from the applicant, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE

Aadil