

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4479 of 2017

- Yadram Yadav S/o Shri Kartikeshwar @ Katikeswar Yadav, Aged About 32 Years Occupation Agriculturist, R/o Village Putakapuri, Police Station Pusaur, District Raigarh, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Officer In Charge Of Police Station Pusaur, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	Mr. Roop Naik, Advocate
For Respondent /State	Mr. R. Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/7/2017

1. Heard.
2. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.52/2017, registered at Police Station Pusaur, District Raigarh (CG) for the offence punishable under Section 34(2) of the C.G. Excise Act, for illegally possessing 24.780 litres of country made liquor.
3. The first bail application of the applicant was dismissed, as withdrawn with liberty to move afresh after seeking instructions

about the previous antecedents of the applicant.

4. It is argued by learned counsel for the applicant that in one previous case under the Excise Act, the applicant has already been acquitted by the Court of Second Additional Sessions Judge, Raigarh in Criminal Appeal No.642016 vide judgment dated 03.05.2016.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the fact that the applicant is in jail since 3.4.2017, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court. It is made clear that if the applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

6. Certified copy as per rules.

Sd/-

Judge

(Prashant Kumar Mishra)

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