

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4608 of 2017

Atal Singh Soni S/o Samelal @ Mantri Soni, Aged About 50 Years
R/o Village Badnara, Thana Nandghat, District Bemetara,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Thana Nandghat, District Bemetara,
Chhattisgarh.

---- Respondent

For applicant - Shri Samir Singh, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/07/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 15/06/2017 vide M.Cr.C. No.3309 of 2017 with liberty to repeat the same after examination of the seizure witness.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.102/2017 registered in Police Station Nandghat, Distt. Bemetara (C.G.) for offence punishable under section 34 (2) of Chhattisgarh Excise Act.
3. As per the prosecution case, on 11/04/2017 on a raid being made from the possession of the applicant 11.340 bulk liters of liquor was seized.
4. Learned counsel for the applicant submits that seizure witnesses namely Doman Sahu and Anandlal Joshi 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 Doman Sahu and Anandlal Joshi 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 Doman Sahu and Anandlal Joshi 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