

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4727 of 2017

Mahesh Das, S/o. Bhagat Satnami, aged about 20 years, R/o. Village-Madhar, P.S. - Simga, District – Balodabazar (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Excise Circle – Simga, Civil and Revenue District – Balodabazar – Bhatapara (C.G.)

---- Respondent

For Applicant	:	Mr. Amiyakant Tiwari, Advocate
For Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/08/2017

1. Heard on application under Section 439 of the Code of Criminal Procedure.
2. The applicant has been arrested and is in custody since 01.07.2017 for the offence under Section 34 (2) of C.G. Excise Act, 1915 in connection with Crime No.210/2016, registered in Police Station – Excise Circle – Simga, District – Balodabazar. Charge-sheet has been filed after completion of investigation.
3. It is submitted by the counsel for the applicant that the applicant is innocent and he has been falsely implicated. It is though alleged that 21.06 bulk liters of liquor has been seized from the kitchen garden in his possession and ownership. Applicant was not present at the time when seizure was made. The trial Court and the learned Sessions Court below have rejected the application for grant of bail. Hence this application has been filed.

4. Counsel for the State has opposed the application and the submission made in this behalf.
5. Perused the case diary. Considering the contents of the prosecution case and the submission made, this appears to be a fit case, where the applicant should be enlarged on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram