

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 89 of 2018

- Tamraj Yadav S/o Late Ramkhilawan Yadav, Aged About 28 Years R/o Village Pathariya, P. S. Nandini Nagar, Tehsil And District Durg Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate District Durg Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Advocate
For Respondent	:	Mr. Vijay Bhadur Singh, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16.02.2018

1. This is the first 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. 237/2017, registered at Police Station- Nandini Nagar, District – Durg, (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicant submits, that the applicant has been falsely implicated in this case, he was just driver of the vehicles and no seizure of illicit liquor has been made from him, and he is in jail since 19.09.2017, therefore, he may be released on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has no previous antecedents of similar offence.
4. Heard counsel for both the parties and perused the case diary.
5. As the case is applicant was driver of the vehicle from which 216 bulk litres of foreign liquor was seized.
6. Considering the submissions made and contents of the case diary and further considering the fact that the applicant is in jail since 19.09.2017, he is a local resident of District – Durg and ready to abide by all the conditions imposed upon him, therefore, this Court is of the opinion that this is a fit case where the applicant is entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on 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.

Sd /-

(Rajendra Chandra Singh Samant)
Judge

Jamal