

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2649 of 2018

- Guruvesh @ Raju Temre S/o Revashankar Temre Aged About 30 Years R/o- Village- Ladsa, Post Office, Police Station And Tahsil- Lanji, District- Balaghat (M.P.), District : Balaghat, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Salhewara, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Shivendu Pandya, Advocate.
For Non-applicant/State	:	Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-04-2018

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. 04/2018, registered at Police Station- Salhewara, District – Rajnandgaon(C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicant submits that applicant has falsely been implicated in this case. Applicant is in jail since 28.3.2018. No case is made out against this applicant. The seizure of liquor has been made from the co-accused person. This applicant has been roped as an accused only on the basis of the memorandum statement given by the co-accused person, hence, it is prayed that applicant be enlarged on regular bail.
3. Learned State counsel opposes the application and submissions made in this respect. It is submitted that there is one more connected case which has not been listed, hence, the application be rejected.

4. Heard both the parties and perused the case diary.
5. According to prosecution case, on 17.1.2018 25 cartons of foreign liquor was seized while being transported in a vehicle bearing registration No.CG-07-2159 by the co-accused persons Ramhit Jaiswal and Sanjay Verma. On being apprehended, the co-accused persons have given statement on memorandum submits they have made purchase of the said liquor from this applicant, hence, this case against this applicant.
6. Considering on all the material present in the case diary, I am of this view that this is a fit case where the applicant should be enlarged on regular 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 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.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha