

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2673 of 2018**

Rupesh Satnami, S/o. Shri Punitram Satnami, Aged About 19 Years, By
Caste- Satnami, R/o.- Village- Bhatgaon, Thana- Komakhan, Tahsil-
Bagbahara, Civil and Revenue, District- Mahasamund, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh, Through- The State Excise Flying Squad Avanti
Vihar Raipur, Civil and Revenue District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sumit Shrivastava, Advocate
For Respondent : Mr. Vijay Bahadur Singh, 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. 263/2017, registered at Police Station- State Excise Flying Squad Avanti Vihar Raipur, District – Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 17 liters and he was arrested on 24.03.2018.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 24.03.2018;

therefore, he may be released on bail.

4. 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.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 17 liters; offence is triable by the JMFC and the applicant is in jail since 24.03.2018, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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.

Certified as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge