

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2692 of 2018**

Vijendra Kumar Verma S/o Raghuveer Verma Aged About 28 Years R/o-
Village- Murkuta (Sivni), Thana- Nawagarh, District- Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Thana- Nawagarh, District- Bemetara,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/04/2018

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.54/2018, registered at Police Station- Nawagarh, District – Bemetara (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 21.960 bulk liters and he was arrested on 05.04.2018.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 05.04.2018; 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 one previous cases under Section 34 (2) of Excise Act and soon after the first offence, the second offence has been committed, therefore, he may not be released on bail.

5. In reply, it is submitted by the learned counsel for the applicant that the applicant is on bail in aforesaid case, therefore, he may be released on bail.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 21.960 bulk liters; offence is triable by the JMFC and the applicant is in jail since 05.04.2018, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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