

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3574 of 2018

- Jitendra Kumar Maravi S/o Shri Praja Ram Maravi Aged About 35 Years R/o- Village Limtari, Police Station- Chakarbhatta, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station- Sirgitti, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

 For Applicant :Mr. Om Prakash Sahu Advocate

For Respondent/State :Mr. Dheeraj Wankhade, Govt. Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

08/06/2018

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 on 29-4-2018 in connection with Crime No. 136 of 2018, registered at Police Station Sirgitti, District Bilaspur (CG) for the offence punishable under Sections 34 (1) (2) & 59 (A) of the Chhattisgarh Excise Act, 1915.
2. The allegation of the prosecution against the applicant is that the applicant was found in possession of illicit liquor measuring total about 5.400 liters and he was arrested on 29-4-2018 for the said offence.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 29-4-2018, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he submits that as per the information received from the concerned Station House Officer the applicant has no antecedent of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 5.400 liters; there is no antecedent of the applicant of similar offence and the applicant is in jail since 29-4-2018, 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 and 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 before the trial Court as and when directed.

Certified copy as per rules.

Sd/-

(Ram Prasanna Sharma)
Vacation Judge