

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3740 of 2018**

Kishan S/o Salik Chouhan Aged About 24 Years R/o- Harethi, Police Station Sakti, District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The District Magistrate Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh And Also Through The Police Of Police Station Sakti, District Janjgir-Champa, Chhattisgarh.

---Respondent

For Applicant	:	Mr. Govind Dewangan, Advocate.
For State	:	Mr. Prasoon Bhaduri, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****01/06/2018**

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 in connection with Crime No. 267/2018, registered at Police Station Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that the applicant was found to be in possession of illicit Country Made Liquor measuring about 5.400 Bulk Liter and he was arrested on 04.05.2018.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 04.05.2018; 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 S.H.O., the applicant has no previous 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; offence is triable by the J.M.F.C. and the applicant is in jail since 04.05.2018, 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.

Sd/-
(Rajendra Chandra Singh Samant)
JUDGE

Ved