

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3775 of 2018

- Janelal S/o Banasram Pardhi Aged About 55 Years R/o- Village Bahera, Police Station Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- The State of Chhattisgarh Through- The Station House Officer, Police Station Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

 For Applicant :Mr. Amit Kumar Sahu, Advocate

For Respondent/State :Mr. Neeraj Sharma, Dy. 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 18-4-2018 in connection with Crime No. 222 of 2018, registered at Police Station Bemetara, District Bemetara CG) for the offence punishable under Section 34 (2) 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 8.280 liters and he was arrested on 18-4-2018 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 18-4-2018, 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 8.280 liters; there is no antecedent of the applicant of similar offence and the applicant is in jail since 18-4-2018, 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