

HIGH COURT OF CHHATTISGARH AT BILASPURMCRC No. 3956 of 2018

Rajman S/o Jagnarayan Singh, by caste – Gond, aged about 22 years,
R/o village Newri, Paterapara, P.S. Jhagrakhand, District Koriya (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station –
Khadgawan, District Koriya (C.G.).

---Respondent

For petitioner	:	Shri Awadh Tripathi, Advocate.
For State	:	Shri Prasoon Bhaduri, Government Advocate.

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.69/2018, registered at Police Station Khadgawan, District Koriya (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 foreign liquor measuring about 215.69 liters and he was arrested on 09/05/2018.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 09/05/2018. He further submits that the applicant is a local resident of District Koriya (C.G.) and that

the applicant was simply a driver of the vehicle, from which the liquor has been seized, which in reality belonged to the owner of the vehicle, who ran away from the spot at the time of seizure and therefore he pray for grant of bail.

4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that the investigation is still pending and a huge quantity of liquor was being brought from Madhya Pradesh to this State and thus prayed for rejection of bail application.

5. Perused the case diary.

6. On 09/05/2018, the police personnel of Police Station Khadgawan stopped the vehicle bearing registration No. CG-10-FA-5976 and on search, 23 cartoons of foreign liquor were found being transported in the vehicle which was seized from the possession of the applicant. Hence this case.

7. Considering all the materials available in the case-dairy, so also considering the fact that the applicant is a local resident of this State and that he has not any previous record and that there is likelihood of delay in submission of chargesheet and the trial of the case, this Court is inclined to release the applicant on bail.

8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

9. 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

Sumit