

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4043 of 2018

Sanjay Singh Chauhan S/o Jaleshwar Singh Aged About 28 Years R/o Village - Gobarra Post - Damapur, Police Station Kunda, Tahsil Pandaria District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Kunda, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicant	:	Shri KPS Gandhi, Advocate
For State	:	Shri Anil S. Pandey, Govt. Advocate

S.B. : 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 in connection with Crime No.124 of 2018 registered at Police Station- Kunda, District Kabirdham (C.G.) for the offence punishable under Section 34 (2) of the C.G. Excise Act.
2. The allegation of the prosecution against the applicant is that the applicant was found in possession of illicit country made liquor measuring total about 7.200 bulk liters and he was arrested on 23.5.2018 for the said offence.
3. Learned counsel for the applicant submits that the applicant has falsely

been implicated in this case and he is in jail since 23.5.2018, therefore, he may be released on bail.

4. 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 7.200 bulk liters; there is no antecedent of the applicant of similar offence and the applicant is in jail since 23.5.2018, 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. 20,000/- 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.

Sd/-
(Ram Prasanna Sharma)
V. Judge