

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4063 of 2018

Laxmi Kumar S/o Tihari Bhaskar Aged About 28 Years R/o Village - Matsagara, Police Station - Takhatpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Its Police Station Takhatpur District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Ravi Maheshwari, Advocate
For State	:	Shri Ravindra Agrawal, 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.162 of 2018 registered at Police Station- Takhatpur, Civil & Revenue District- Bilaspur (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 bulk liters and he was arrested on 18.5.2018 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 18.5.2018, 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 bulk liters; there is no antecedent of the applicant of similar offence and the applicant is in jail since 18.5.2018, 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