

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.4074 of 2018

- Satish Kumar Yadav S/o Shri Gopi Yadav Aged About 23 Years R/o Village - Rahaud Police Station Shivrinarayan, Civil And Revenue District Janjgir - Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Excise Circle Akaltara (Wrongly Mentioned Through The District Magistrate Janjgir) Civil And Revenue District Janjgir Champa Chhattisgarh.

-----Respondent

For Applicant : Shri Paras Mani Shriwas, Advocate.

For Respondent/State : Shri Ravindra Agrawal, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

12.6.2018

This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.

2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.07/2018 registered at Police Station Excise Circle Akaltara, Distt. Janjgir-Champa (Chhattisgarh) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

3. Case of the prosecution, in brief, is that on 25.5.2018 at Kotmi Sonar, Ward No.7, Akaltara, Excise Sub Inspector Akaltara had seized 179.28 bulk liters of country made liquor from the joint possession of present applicant and co-accused Ashok Kumar Satnami, Umendra Ram Sahu, Narendra Yadav and Jitendra Sande.

4. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the case, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the CrPC to the present applicant.

7. Consequently, the bail application is rejected.

Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Vacation Judge