

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4075 of 2018

Ajay Gupta S/o Shri Shivshankar Gupta, Aged About 45 Years R/o
Village Jorai, Post And Police Station Mahapur, District Aurangabad
(Bihar)., District : Aurangabad, Bihar

---- Petitioner

Versus

State Of Chhattisgarh Through Police Station Dongargarh District
Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate

For State : Mr. Majid Ali, Dy. GA

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/06/2018

1. The applicant has been arrested in connection with Crime No. 105/2018 registered at Police Station – Dongargarh, District- Rajnandgaon (CG) for alleged commission of offences under Section 34(2) of C.G. Excise Act & 307 IPC.
2. The allegation against the applicant is that he had sold 135 litre unauthorised liquor to the other co-accused thereby committed offence.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated. He further submits that one Prashant Sahu co-accused has been granted bail in MCRC No. 3877/2018 and one Dileshwar & Shubham Uike have been granted bail in MCRC 3409/2018 , Therefore, applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes bail application, however, he would submit that as per the information received from the concerned SHO, the applicants have no previous antecedents of similar offence.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 135 bulk litres; offence is triable by the JMFC and the applicant is in jail since 27.05.2018, this Court is inclined to release the applicant on bail.

6. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs. 25,000/- along with one local surety of the like amount to the satisfaction of the Trial Court. They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Vacation Judge