

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4576 of 2018

- Deva Mahish S/o Shri Ramprasad Mahish, Aged About 25 Years, R/o- Kashiram Chowk, Gandhinagar, Raigarh, Tahsil And District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Abhishek Saraf, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 15-06-2018 in connection with Crime No.174/2018 registered at Police Chowki – Jutemill, P.S. City Kotwali Distt. Raigarh, Chhattisgarh for the offence under Section 34(2) and 59 of C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case only for the reason that he was partner of Shiv in a poultry farm and by the side of that poultry farm the illegal liquor has been recovered from open place which has no connection with this applicant. The applicant is in jail since 15-06-2018. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. 231.48 bulk liter illegal hand made liquor was seized from an open place by the side of the poultry farm.

6. After considering on the material present in the case diary and looking to this fact that this applicant does not have any criminal antecedent, I am inclined to grant bail to the applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge