

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4821 of 2018

- Sheikh Mohammad @ Talib S/o Sheikh Raseed Aged About 19 Years
R/o- Kashmiri Para, Dongargarh, P.S. Dongargarh, Civil And Revenue
District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S. Dongargarh, District- Rajnandgaon,
Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Keshav Dewangan, Advocate.
For Non-applicant/State	:	Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-07-2018

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. 105/2018, registered at Police Station- Dongargarh, District –Rajnandgaon(C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act and 307/34 of the IPC.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. No seizure of illicit liquor has been made from the possession of this applicant, he has been arrested only on the basis of memorandum statement given by co-accused persons, hence it is prayed that he may be released on regular bail.
3. Learned State counsel opposes the application and submissions made in this respect.

4. In total 153 bulk litres liquor was seized from the possession of co-accused persons by the police personnel of PS-Dongarh. The applicant was named in the memorandum statement given by these co-accused persons. Hence, this case.
5. After considering on all the material present in the case diary, I am of this view that this is a fit case where applicant should be released on regular bail during the pendency of the case against him.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha