

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4993 of 2018**

Samir Qureshi (Samir Ahmed Qureshi) S/o Munir Ahmed Qureshi Aged About 23 Years R/o E. W. S.- 95/96, Padmnabhpur, Tehsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Out Post Padmanabhpur, Through Police Station Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vikash Shrivastava, Advocate on behalf of Shri Shikhar Bakhtiyar, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****30.07.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 596 of 2016, registered at Outpost Padmnabhpur, Police Station Durg, District Durg, Chhattisgarh for the offence punishable under Section 34(2) of the Excise Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.6.2018. No case is made out against the applicant according to the material present in the charge-sheet. The seizure of illicit liquor has been made from abandoned car. It is further submitted that the applicant has been falsely implicated only because he is the registered owner of the said

car. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the incident is of the year 2012 and the case has remained pending only because of the fact that the applicant was absconding. Hence, he is not entitled for bail.

4. Heard counsel for both the parties and perused the case diary.

5. In total, 45 bulk liters of country-made and foreign liquor was recovered and seized by the police personnel of P.S. Padmnabhpur, District Durg from one abandoned car bearing registration No. C.G.-07-9700. During investigation, the applicant was found to be registered owner of the said car. Hence, this case.

6. After due consideration on all the material present in the case-diary, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi