

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5682 of 2018

- Mohan Lal S/o Shri Chhattu Ram, Aged About 52 Years, Caste- Sahis, R/o- Village - Doma, Police Station- Malkharoda, Civil & Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

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

----Non-applicant

For Applicant – Shri Paras Mani Shriwas, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-08-2018

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 26-07-2018 in connection with Crime No.152/2018 registered at P.S. - Excise Fly Squad Janjgir, District- Janjgir-Champa, Chhattisgarh for the offence under Section 34(1) (A), 34(2) & 59(A) of C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 26-07-2018. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 10 bulk liter illicit liquor has been seized from the possession of the applicant. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. Considering on the submissions made and the contents of the case diary, detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.

6. 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.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge