

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6532 of 2018**

Rakesh Sonwani S/o Sevak Ram Sonwani Aged About 32 Years R/o- Village Amera, P.S. Palari, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Palari, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicant : Ms. Pushplata Khalkho, Advocate.
For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.10.2018**

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.325 of 2018, registered at Police Station Palari, District – Balodabazar-Bhatapara, Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 7.020 bulk liters and he was arrested on 21.8.2018.
3. Learned counsel for the applicant submits that the applicant is in jail since 21.8.2018, he has been falsely implicated in this case and similarly

placed co-accused person has been granted bail by this Court; therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has three previous antecedents for various offences under the provisions of I.P.C. and also he has been proceeded under the provisions of Cr.P.C.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 7.020 bulk liters; offence is triable by the JMFC and the applicant is in jail since 21.8.2018, this Court is inclined to release the applicant on bail.

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

7. It is directed that the 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.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge