

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7338 of 2018**

- Laxminarayan Bareth S/o Shri Kartikram Bareth Aged About 35 Years R/o Village- Gobarsingha, Tahsil And Police Station- Baramkela, District- Raigarh, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer of the Police Station- Baramkela, District- Raigarh, Chhattisgarh

---- Respondent

For Applicant	:	Shri Abhishek Saraf, Advocate
For Respondent/State	:	Shri DR Minj, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/10/2018**

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 in connection with Crime No.187/2018 registered at Police Station- Baramkela, District Raigarh (C.G.) for the offence punishable under Section 34(2) and 59 (A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring 7 Bulk Liter and he was arrested on 12.09.2018.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and he is in jail since 12.09.2018, therefore he may be

released on bail.

4. Per contra learned State counsel opposes the prayer for grant of bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 7 Bulk Liter, offence is triable by Judicial Magistrate First Class and the applicant is in jail since 12.09.2018, this Court is inclined to release the applicant on bail. Accordingly, this application is allowed.
6. It is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

Goutam Bhaduri
Judge

Ashu