

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7589 of 2018

- Kamta Gayakwad S/o Maniram Gayakwad Aged About 25 Years R/o Village Awari Police Station Kurud District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Of Police Station Bhakhara District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Shri P.K. Tulsyan, Advocate on behalf of
Shri Anil Gulati, Advocate

For Respondent/State : Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

11.10.2018

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.213/2018, registered at Police Station Bhakhara, District Dhamtari(CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act, 1915.
3. Case of the prosecution in brief is that 5.58 bulk liters illicit liquor has been seized by the Police from the possession of the present applicant.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and he is in jail since 14.9.2018, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Perused the entire material available on record.

7. Considering the quantity of liquor which is alleged to have been seized from the possession of the applicant and also the fact that the applicant is in jail since 14.9.2018, I am of the opinion that it is a fit case, in which, the applicant can be released on bail.

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

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.20,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE