

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8696 of 2018

- Govind Kaushik S/o Shri Ramkumar Kaushik Aged About 34 Years R/o Bavali, Police Station- Pathariya, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The District- Magistrate, Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Uttam Pandey, Advocate.
For Respondent	:	Mrs.Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

19/11/2018

1. This is 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.382/2018 registered at Police Station– Pathariya, District– Mungeli(C.G.) for the offence punishable under Sections 34(1)(A)(2) & 59(A) of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No seizure of illicit liquor has been made from applicant. The other co-accused person from whom the liquor was seized has been granted bail by this Court. Hence, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant has criminal antecedents, hence, he is not entitled to grant of bail.
4. Heard both the parties and perused the case diary.
5. 13.32 liters foreign liquor was seized from the possession of co-accused Anil Kumar Sahu. It is alleged that this applicant also one of the possessor, but he fled from the spot at the time of raid.
6. After considering the material present in the case diary and that the charge-sheet is now before the trial Court, hence, for these reasons, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge