

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9862 of 2018

- Kaliram Meravi S/o Vishram Meravi Aged About 36 Years Caste Tribal Baiga, R/o Village Sagauna, Post Munmuna, Police Station Kukdur, Tahsil Pandaria, District Kabirdham Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Excise Officer, Excise Circle, Pandaria, District Kabirdham Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Devesh Chandra Verma, Advocate
For Respondent/State	:	Mr Ratan Pushti, GA

Hon'ble Smt. Justice Vimla Singh Kapoor

order On Board

17/12/2018

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of bail as he is in custody since 04.11.2018 in connection with Crime No.41/2018 registered at Police Station Excise Circle Pandaria, District Kabirdham (C.G.) for the offence punishable under Sections 34(1)(A) and 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution case, 10 liter of illicit *Mahua* liquor was recovered from the possession of the accused/applicant.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the case and he is languishing in jail since 04.11.2018. He further submits that the charge-sheet has not been filed yet and therefore, he may be granted bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.

6. Considering the totality of the facts and circumstances of the case and looking to the quantity of liquor recovered from the possession of the accused/applicant which comes to just 10 liters, this Court is of the opinion that it is a fit case to release him on bail.
7. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

CC as per rules.

Sd/-

(Vimla Singh Kapoor)
V. Judge