

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3802 of 2019**

Vivek Singh @ Mintu S/o Shri Kanhaiya Singh Thakur Aged About 23 Years R/o Village Bhadoura, Police Station Masturi, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Masturi, District Bilaspur Chhattisgarh.

---Respondent

For Applicant	:	Ms. Vijyita Sahu, Advocate.
For State	:	Mr. A.N. Bhakta. Dy. A.G.

Hon'ble Shri Justice Ram Prasanna Sharma**Order on Board****07/06/2019**

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 who has been arrested in connection with Crime No. 194/2019, registered at Police Station Masturi, District Bilaspur (C.G.) for the offence punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that the applicant was found to be in possession of country made plain liquor measuring about 5.760 Bulk Liters and he was arrested on 22.05.2019.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 22.05.2019; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Taking into consideration the totality of the facts and circumstances and the fact that the quantity of seized liquor is 5.760 liters; offence is triable by the J.M.F.C. and the applicant is in jail since 22.05.2019, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Ram Prasanna Sharma)
VACATION JUDGE

Ved