

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3828 of 2019**

Lalu Bagh S/o Late Tilo Aged About 64 Years R/o Ward No. 23, Uria Para, Dalli Rajhara, P.S. Dalli Rajhara, Tehsil Dondi, District- Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Dalli Rajhara, District- Balod, Chhattisgarh.

---Respondent

For Applicant	:	Mr. Anurag Khatri, Advocate
For State	:	Mr. Arun Shukla, G.A.

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. 120/2019, registered at Police Station Dalli Rajhara, District Balod (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that the applicant was found to be in possession of country made liquor measuring about 10.080 Bulk Liters and he was arrested on 25.05.2019.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 25.05.2019; 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 10.080 liters; offence

is triable by the J.M.F.C. and the applicant is in jail since 25.05.2019, 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