

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4274 of 2019

- Bhuwan Lal Kurrey S/o Chhotelal Kurrey, Aged About 56 Years, R/o Village - Chilhati, Police Station - Sarkanda, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through it's Police Station Excise Circle Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Ravi Maheshwari, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 09-04-2019 in connection with Crime No.02/2019 registered at P.S.- Excise Circle Masturi, Civil & Revenue District Bilaspur, Chhattisgarh for the offence under Section 34 (1) (A), 34 (2), 59 (A) of Chhattisgarh Excise Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 09-04-2019. The independent witnesses of search and seizure have not supported the prosecution case. Therefore, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 10 bulk liter illicit liquor and 350 kg. mahua lahan has been seized from the possession of the applicant. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Considering that the search and seizure witnesses have not supported

the prosecution case, I feel inclined to allow this application.

6. Consequently, the application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge