

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4320 of 2019

- Pranshul Aswani, S/o Shri Prakash Aswani, Aged About 20 Years, R/o Sindhi Colony, Shankar Chownk, Gondia, Maharashtra. Mob. 9425213498.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station GRP Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivraj Singh, Advocate.
For Non-applicant/State	:	Mr. Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-07-2019

1. This is second 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.130/2019, registered at Police Station- GRP, Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 21.6.2019; therefore, he may be released on bail.
3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per information received from the concerned SHO, the applicant was found transporting 72 bottles of bear, each containing 500 ml, total 36 bulk litre liquor, from Maharashtra to Chhattisgarh without paying taxes.
4. I have heard both the parties and perused the document brought on record.

5. Taking into consideration the totality of circumstances and the fact that quantity of seized liquor is 36 bulk liters, the offence is triable by the Magistrate and the applicant is in jail since 21.6.2019, 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. 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.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha