

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4422 of 2019

- Jugnu Lahare S/o Shri Ramji Lahare, Aged About 38 Years, R/o Raj Nagar, Outpost Bakawand, Police Station - Nagarnar, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Sukma District Sukma Chhattisgarh., District : Sukma, Chhattisgarh

----Non-applicant

For Applicant – Shri Keshav Dewangan, Advocate.

For Non-applicant/State – Shri Chandrabhushan Kesharwani, 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 26-05-2019 in connection with Crime No.60/2019 registered at P.S. - Sukma, District Sukma, Chhattisgarh for the offence under Section 34(2) of C.G. 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 26-05-2019. The applicant is innocent. The independent witnesses of search and seizure have been examined who have not supported the prosecution case. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. In total 691.20 bulk liter of foreign liquor were seized from the possession of this applicant while he was transporting the same in a pick up vehicle. Hence, this case.
6. Considering that the trial is going on and the independent witnesses of

search and seizure have not supported the prosecution case, I feel inclined to allow this application.

7. Consequently, this 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge