

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5325 of 2019**

- Rupchand Puraina, son of Peelaram Puraina, aged about 35 years, resident of village Seja, P.S. Arang, District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through the Station House Officer, Police Station Excise Circle Civil Line Raipur, Civil and Revenue District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. P.K. Patel, Advocate.
For Respondent/State	: Mr. Anurag Verma Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

05/11/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 38/2019, registered at Police Station – Excise Circle Civil Line Raipur, (C.G.) for the offence punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 31.07.2019, on the basis of information received from an informant, police personnels searched and seized total 234 bulk litres of foreign liquor has been seized from his possession and he has been arrested on 31.07.2019.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that he is in custody since 31.07.2019 and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application submitting that the quantity of seized liquor was

very huge. The applicant/accused has been arrested with two boxes of liquor (100 quarters) in his motorcycle but when police searched his house then other 24 boxes of same liquor were seized that shows the gravity of the offence. So, this it is not a fit case to release the applicant on bail.

5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the quantity of liquor is so huge, this Court is not inclined to release him on bail.
7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge