

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5710 of 2019

Ravi Manhare, S/o. Sadharam, Aged About 25 Years, R/o. Village - Raseda,
Balodabazar, District Balodabazar Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station City
Kotwali, Balodabazar, District Balodabazar Chhattisgarh.

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate
For Respondent : Mr. Neeraj Pradhan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/09/2019

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.476/2019, registered at Police Station- City Kotwali, Balodabazar, District – Balodabazar (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 8.640 bulk liters and he was arrested on 16.08.2019.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 16.08.2019; therefore, he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, there is 8 previous cases are registered against the applicant, out of which three cases are under Excise Act, therefore, the applicant may not be released on bail.
5. In reply, counsel for the applicant submits that some of the previous cases registered against the applicant has been disposed off, whereas some are pending, in which the applicant is on bail.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 8.640 bulk liters; offence is triable by the JMFC and the applicant is in jail since 16.08.2019, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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 as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge