

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6302 of 2019

- Khem Lal, S/o Shri Banshi Lal, Aged About 38 Years, Caste – Sahu, R/o Village - Raipura, Police-Station - Baradwasr, Civil & Revenue District- Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate Janjgir, Civil & Revenue District – Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Paras Mani Shriwas, Advocate.
For Non-applicant/State	:	Mr. Arijit Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30-09-2019

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. 224/2019, registered at Police Station-Excise Flying Squad, Janjgir, District–Janjgir-Champa(C.G.) for the offence punishable under Section 34(1)(A), 34(2), 59(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 20 bulk liters and he was arrested on 15.9.2019.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 15.9.2019; therefore, he may also 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, the applicant has one previous antecedent of Chhattisgarh Excise

Act in the year 2015.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 20 bulk liters; offence is triable by the JMFC and the applicant is in jail since 15.09.2019, 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