

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2424 of 2020

- Jaidev Patel, S/o Narad Patel Aged About 48 Years, R/o Village Nilgi Patela, Police Station Jagdalpur, Tahsil Jharband, District Bargarh, Odisha.

---- Petitioner

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Basna, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vaibhav A. Goverdhan, Advocate.
For Non-applicant/State	:	Mr. Vikram Sharma, Dy.Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-05-2020

1. The default pointed out by the Registry is waived.
2. 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. 147/2020, registered at Police Station-Basna, District-Mahasamund, Chhattisgarh for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
3. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 10 bulk liters and he was arrested on 8.4.2020.
4. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 8.4.2020; therefore, he may be released on bail.
5. Learned State counsel opposes the prayer and submissions made by the counsel for applicant.

6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 10 bulk liters; offence is triable by the JMFC and the applicant is in jail since 8.4.2020, 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. It is directed that the applicant shall be released on bail on his 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