

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2447 of 2020

Ajay Kumar Chauhan S/o Bhojram Chouhan Aged About 27 Years R/o House No. 62 Dipopara, Village Salhoona, District Raigarh Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh Through Station House Officer Police Station Sariya, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Shri Dinesh Kumar Bole, Advocate.

For State/Respondent : Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

07.05.2020

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.36/2020 registered at Police Station Sariya, District- Raigarh, for the offence punishable under Section 34(2), 59-A of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 40 liters of kachhi Mahua liquor was seized by the police from the present applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 22.04.2020. He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and circumstances of the case, small quantity of liquor and also considering the

fact that the applicant is in detention since 22.04.2020, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE