

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2441 of 2020

Mithlesh Pathak, S/o Late Bacchu Ram, Aged About 38 Years,
Resident of Quarter No. 1/c, Street No. 04, Zone-03, Khurshipar
Bhilai, District- Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: SHO P.S. Khurshipar, District- Durg
(C.G.)

---- Respondent

For Applicant : Mr. Goutam Khetrapal, Advocate
For State/ Respondent : Mr. Vikram Sharma, Panel Lawyer.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

07/05/2020

1. This is 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. 168/2020 registered at Police Station- Khurshipar, Bhilai, District- Durg (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The case of the prosecution is that the applicant was found to be in possession of illicit liquor measuring about 5.940 bulk liters and he was arrested on 07.03.2020.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 07.03.2020, therefore, he may be released on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.
5. Looking to the facts and circumstances of the case and further looking to the quantity of liquor seized in the present case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr. P. C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 20,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date as and when directed.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge