

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2621 of 2020

- Ramanand Sonwani S/o Itwari Sonwani Aged About 50 Years R/o Rampur, Police Station Pallari, District Baloda-Bazar-Bhatapara, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through S.H.O. - P.S. - Pallari, District Baloda-Bazar-Bhatapara, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Hemant Gupta, Advocate.
For Respondent/State	:	Mr. Sameer Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

14/05/2020

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. 136/2020, registered at Police Station-Pallari, Revenue & Civil District – Baloda-Bazar-Bhatapara(C.G.) for the offence punishable under Sections 34(2) of Excise Act.
3. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 50 bulk liters and he was arrested on 31.3.2020.
4. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and as the applicant is in jail since 1 ½

years still the charge-sheet has not been filed and he has no previous antecedents; 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 50 bulk liters; offence is triable by the JMFC and the applicant is in jail since 31.3.2020, 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 her 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 her appearance as and when directed.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge