

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2568 of 2021

Naresh Singh Rajput, S/o. Bane Singh Rajput, Aged About 54 Years, R/o. Ganjpara Ward No. 35, Durg, Tehsil & District Durg (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through the Excise Circle Dongargaon, District Rajnandgaon (C.G.)

---- Respondent

For Applicant : Mr. S.S.Baghel, Advocate

For Respondent : Mrs. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

22.07.2021

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.40/2021 registered at Police Station : Excise Circle - Dongargaon, District Rajnandgaon, for the offence punishable under Section 34(2), 36, 59(क) of the C.G. Excise Act, 2015.
2. As per the prosecution case, on 20.03.2021 from the joint possession of the applicant and other co-accused total 360 bulk liter of illicit liquor was seized.
3. Learned counsel for the applicant would submit that the applicant is in jail since 20.03.2021 and the trial is not concluded. He further submits that no evidence have been recorded till date, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the time which has passed and the quantity of the seized liquor and the fact that applicant is in jail since 20.03.2021

and the evidence has not been recorded, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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.

Sd/-
(Goutam Bhaduri)
Judge

Ashok