

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2724 of 2021

Harindra Mirdha, S/o. Ganesh Mirdha (Wrongly Mentioned As Gajesh)
Aged About 40 Years, R/o. Village Netnagar, Maudhabhantha, Police
Station Jutmil Chowki, Tahsil And District Raigarh Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - Station House Officer, Police Station -
Kotwali, Outpost Jutmil District Raigarh Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate

For Respondent : Mr. Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

21.05.2021

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.423/2021 registered at Police Station- Kotwali, Outpost Jutmil, District Raigarh (C.G.) for the offence punishable under Sections 34(2), 59(A) of the Chhattisgarh Excise Act.
2. As per the prosecution case, on a raid being conducted on 19.03.2021, from the possession of the applicant, total 35 bulk liters of illicit liquor was seized.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, he is in jail since 19.03.2021 and the seizure has already been made, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the facts & circumstances of the case, taking into the quantity of seized liquor and the fact that applicant is in jail since 19.03.2021, 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 furnishing a personal bond for a sum of Rs.15,000/- 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)
Vacation Judge