

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3047 of 2021

- Surendra Manjhi @ Machhar S/o Shri Bhola Manjhi Aged About 27 Years Resident Of Near Christ College, Danteshwari Ward, Jagdalpur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Bodhghat, Jagdalpur District Bastar (C.G.)

---Respondent

For applicant – Shri Manish Nigam, Advocate.

For Respondent/State – Shri Amrito Das, Addl A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/05/2021

1. Heard.
2. Learned counsel for the applicant submits that the default No. 3 is in respect of Certified Copy. After perusal it is observed that the certified copy of the order is already filed. Therefore, default No. 3 is ignored. In respect of default No. 01 & 02 it is directed to remove the default within a period of 3 days.
3. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 98/2021 registered in Police Station Bodhghat, Jagdalpur District Bastar for offence punishable under Sections 34(2) of Chhattisgarh Excise Act.
4. The prosecution alleges that on a raid being conducted the applicant was found to be in possession of illicit liquor measuring

10 bulk liters and he was arrested on 02/04/2021.

5. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He is in jail since 02.04.2021, therefore he may be enlarged on bail.
6. Learned State counsel opposes the prayer for grant of bail and submits that one past antecedents has been reported against the applicant.
7. Taking into consideration the totality of the circumstances and the fact that past incidents are pending against the applicant and the quantity of seized liquor is 10 bulk liters, offence is triable by Judicial Magistrate First Class and the applicant is in jail since 02/04/2021, this Court is inclined to release the applicant on bail. Accordingly, this application is allowed.
8. It is directed that the applicant shall be released on furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.
9. Certified copy shall be supplied to the applicant after removal of the default.
10. Accordingly, I.A. No. 01 i.e. application for urgent hearing and I.A. No. 02 i.e. application for hearing the matter in summer vacation stands disposed off.

Sd/-

(Goutam Bhaduri)
Vacation Judge