

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3228 of 2021

Samaru Ram Tandon, S/o. Daniram, Aged About 71 Years, R/o. Ward No. 1, Sakti, Police Station- Sakti, District- Janjgir- Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- Excise Circle Sakti, District- Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. K.K.Pandey, Advocate

For Respondent : Ms. Akanksha Jain, 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.258/2021 registered at Police Station- Excise Circle Sakti, District Janjgir- Champa (C.G.) for the offence punishable under Sections 34(1) (A), 34(2), 59-A of the Chhattisgarh Excise Act.
2. As per the prosecution case, on a raid being conducted on 23.03.2021, from the possession of the applicant, total 15 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 23.03.2021 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 23.03.2021, 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.
7. The applicant shall remove the default by furnishing the certified copy of the order within a week. Till the certified copy of the impugned order has not been placed, the applicant is not entitled to receive the certified copy of this order.

Sd/-
(Goutam Bhaduri)
Vacation Judge