

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3317 of 2021**

- Ashish Verma S/o Vijay Verma Aged About 22 Years R/o Hardikala(Tona), Police Station- Sirgitti, District- Bilaspur, Chhattisgarh

**---- Applicant (In jail)**

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station- Sirgitti, Bilaspur, Chhattisgarh

**---- Respondent**

---

|                |                                       |
|----------------|---------------------------------------|
| For Applicant  | : Shri Rajendra Kumar Patel, Advocate |
| For Respondent | : Shri Alok Bakshi, Additional AG     |

---

(Proceeding through Video Conferencing)

**Hon'ble Shri Justice Parth Prateem Sahu**  
**Order on Board**

**31.05.2021**

1. Applicant has preferred this application under Section 439 of the CrPC for grant of regular bail as he has been arrested in connection with Crime No.186 of 2021 registered at Police Station Sirigitti, District Bilaspur CG for offences punishable under Sections 34(2), 59(a) of the Chhattisgarh Excise Act.
2. Case of the prosecution in brief is that on receiving intimation, Sirgitti Police found the applicant in possession of illicit hand made Mahua Liquor of 14 liters. He was arrested and crime was registered against him for the aforementioned offences.
3. Shri Rajendra Kumar Patel, learned counsel for the applicant submits that applicant has not committed any offence as alleged against him. Alleged seizure of liquor has not been made from the exclusive and conscious possession of present applicant, and he has been falsely implicated in the case. Further, learned counsel submits that quantity of liquor said to have been possessed from the applicant is only 14 liters, and the applicant is in jail

since 02.05.2021. He further submits that applicant has not having any criminal antecedents against him.

4. Shri Alok Bakshi, learned Additional AG for the State opposing the submission made by learned counsel for the applicant submits that liquor has been seized from the possession of present applicant while he was carrying the same in a plastic Jerrycan, and applicant is not entitled for his release on bail.

5. I have heard learned counsel for the parties.

6. Considering the nature of allegations, quantity of liquor alleged to have been seized from the possession of present applicant ie 14 bulk liters hand made Mahua liquor, his pre-trial detention since 02.05.2021, without commenting on merits of the case, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on regular bail upon furnishing a bail bond in the sum of Rs.25,000/- (Rupees twenty-five thousand) with one surety in the like sum to the satisfaction of the Court below concerned on the condition that:

- a) Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) Applicant shall not in any manner, tamper with the prosecution witnesses.
- c) If the applicant is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

8. In view of above, application for urgent hearing and application for hearing the case during summer vacation stand disposed off.

Certified copy as per rules.

Sd/-  
V.Judge  
(Parth Prateem Sahu)