

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4046 of 2021**

1. Bharat, son of Rakesh Kumar, aged about 23 years, resident of Nagla, Bhind, Police Station Mujariya, District Badayu (UP)

--- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj, District Balrampur-Ramanujganj (CG)

---- Non-Applicant

For Applicant : Shri Sachin Singh Rajput, Advocate.
For Non-Applicant : Shri Sudeep Agrawal, Deputy AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****11/08/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.13/2021 registered in Police Station Rajmanujganj, District Balrampur-Ramanujganj for offence under Section 34 (2) of the CG Excise Act.
2. The applicant was driving the truck bearing registration No.CG-04/JA-8806 while travelling through Ring Road, Murga Bazar, Ramanujganj. On being intercepted and during checking, the vehicle was found carrying illicit liquor ad measuring 5970.24 bulk liters, valued at Rs.13,26,720/-. Since the applicant was not possessed of any licence or permit including the transport permit for carrying such huge quantity of liquor, he was arrested.
3. Learned counsel for the applicant submits that the applicant has been

arrested on behalf of the dump data of the mobile tower location of the persons who came in contact with nearest tower to the place where the vehicle was seized. According to him, he is neither owner of the truck nor was arrested on the spot, therefore, he deserves to be released on bail.

4. The applicant is the resident of village Nagla Bhind, PS Mujariya, District Badayu (UP). There is no explanation as to for what purpose he was in the same area where liquor has been seized. Even if he is not the owner of the truck, the fact remains that there is evidence connecting him as driver of the truck and more particularly, the whole truck load of liquor was illicitly transported.
5. Considering the entire fact situation of the case, I am not inclined to release the applicant on bail at this stage. Accordingly, the Application is rejected reserving liberty in favour of the applicant to revive the prayer at an appropriate stage.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

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