

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6395 of 2021**

- Jayram Dugga S/o Masru Dugga, Aged About 21 Years R/o Village Medhajuburj, P.S. Aundhi, District Rajnandgaon Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Aundhi, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	:	Shri S. S. Baghel, Advocate
For Respondents/ State	:	Shri Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****06/09/2021**

1. This is the second 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. 01/2021 registered at Police Station- Aundhi Dist Rajnandgaon (C.G.) for the offence punishable under Section 34 (2) of the C.G. Excise Act, 2015.
2. As per the prosecution case, on a raid being conducted from the possession of the applicant and others 522 liters of illicit liquor was seized.
3. Learned counsel for the applicant submit that the seizure witnesses have been examined and they have not supported the case of the prosecution, therefore, the applicants may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail, however do not dispute the fact that the seizure witnesses have turned hostile.

5. Perusal of statement of Dilip Borkar and Balkrishna Meshram shows that they have turned hostile, which is not disputed by the prosecution, further considering the merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing personal bond for a sum of Rs.25,000/- 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
Judge

Jyoti