

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8762 of 2021

Jitendra Verma S/o Indrajeet Verma Aged About 32 Years, R/o Village Singhauri, Out Post Jalbandha, Tahsil Khairagarh, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through The Excise Circle Khairagarh, District Rajnandgaon, Chhattisgarh.

--- Respondent

For Applicant	: Mr. Abhishek Pandey, Advocate.
For State	: Ms. Seem Dixit, PL.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

14/12/2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to applicant, who has been arrested in connection with Crime No.33/2021, registered at Police Station- Excise Circle Khairagarh, Distt- Rajnandgaon, (C.G.), for commission of offence punishable under Sections 34(2) of CG Excise Act.
2. Case of prosecution is that Police received secret information that applicant is in illegal possession of foreign liquor in his house. Upon receiving information, police reached on spot, during course of search seized 180 bulk litres of foreign liquor from possession of applicant. Based on seizure of foreign liquor, aforementioned crime was registered against applicant and he was arrested.
3. Learned counsel for applicant submits that applicant has been falsely implicated in instant crime. He is in jail since 09.09.2021. Offence is triable by Magistrate and trial may take some time for its conclusion. Hence, applicant may be released on bail.
4. Learned State Counsel opposes the submission of learned counsel for applicant and submits that applicant during course of search, was found in illegal possession of foreign liquor manufactured in Madhya Pradesh, hence, he is not entitled for grant of bail. However on putting specific query with regard to any criminal antecedent against applicant, she after going through case diary

submits that applicant is involved in three other similar crime which is of the year 2014, 2015 & 2016.

5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation, quantity of foreign liquor seized from possession of applicant, submission of learned State Counsel that earlier also applicant is involved in crime of similar nature, I do not find it to be a fit case to enlarge the applicant on regular bail.
7. Accordingly, bail application is rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-