

Shiv Kumar Jaiswal Vs State Of Chhattisgarh

Court: Chhattisgarh High Court

Date of Decision: Sept. 25, 2018

Acts Referred: Code Of Criminal Procedure, 1973 " Section 439
Chhattisgarh Excise Act, 1915 " Section 34(2)

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: Hemlata Goswami, Neeraj Kumar Sharma

Final Decision: Allowed

Judgement

Sharad Kumar Gupta, J

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending

before any other Court.

2. The applicant has been arrested in connection with crime No. 11/2018 registered at Police Station -Excise Circle- Pendra District - Bilaspur (C.G.)

for the offence punishable under Section 34(2) of the C.G. Excise Act.

3. Case of the prosecution, in brief is that on 18.08.2018, 7 bulk liters hand made country liquor has been seized from the applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he shall be

released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. She further submits that there is no antecedent against the applicant.

6. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicant furnishes one solvent surety

for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.

7. Certified copy as per rules.