

(2018) 05 CHH CK 0216

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 3897 Of 2018

Awdhesh

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: May 25, 2018

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Chhattisgarh Excise Act, 1915 - Section 34(1)(A), 34(2), 59(A)

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Awadh Tripathi, Gary Mukhopadhyay

Final Decision: Allowed

Judgement

P. Sam Koshy, J

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the Applicant, who has been arrested in connection with Crime No. 24 of 2018 registered at Police Station Excise Circle, Ambikapur, District Surguja (C.G.) for the offence punishable under Sections 34(1), 34(2)(a) & 59(a) of Chhattisgarh Excise Act.

2. Case of the prosecution, in brief, is that 17 litres of country made Mahua liquor was seized by the police from the possession of the present Applicant.

3. Learned Counsel for the Applicant submits that the Applicant has been falsely implicated in the case and he is in jail since 16.04.2018, therefore, he may be released on bail.

4. On the other hand, Learned Counsel for the State opposes the bail application.
5. Considering the quantity of liquor which is alleged to have been seized from the possession of the applicant and also the fact that the applicant is in jail since 16.04.2018, *prima facie*, I am of the opinion that it is a fit case where the present applicant can be released on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.