

**(2018) 05 CHH CK 0219**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 3540 Of 2018

Vinay Tiwari

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(2)

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** Pawan Kesharwani, PK Bhaduri

**Final Decision:** Allowed

**Judgement**

1. Heard.

2. The applicant has preferred this application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.59/2018 registered at Police Station Chirmiri (CG) for commission of the offence punishable under Section 34(2) of the Excise Act, for illegally possessing 7.050 liters of country made liquor.

3. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the fact that the applicant is in jail since 2.3.2018, this Court is inclined to release him on bail.

4. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given

by the said Court. It is made clear that if the applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

5. Certified copy as per rules.