

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2962 of 2015**

- Chandraprakash S/o Amardas Baghel Aged About 30 years
R/O Janpad Chowk, Besides Heerapur Chowki, At Present
Village Barbaspur, Post Manoharpur, Tah. Lormi, Ps Lormi,
District Mungeli, Civil Distt. Mungeli, Rev. Distt. Bilaspur
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Simga, District
Bilaspur Chhattisgarh.

---- Respondent

For Applicant:	Shri Prakash Tiwari,
For Respondent/State	Shri Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/06/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.148/2015 registered at Police Station – Simga, District Baloda Bazar, Bhatapara for the offence punishable under Section 34 (2) of the CG Excise Act.

(2) Case of the prosecution, in brief, is that 239 bulk liters of illicit liquor was seized from the possession of the present

applicant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence. He would further submit that applicant is in jail since 21.05.2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to the huge quantity of liquor; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-