

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 321 of 2016

- Aditya Panday S/o Devendra Pandey Aged About 25 Years
R/o Village Malhar, Police Station & Tehsil Masturi, Revenue &
Civil District Bilaspur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Officer-In-Charge, Police
Station, Urga Revenue & Civil District Korba Chhattisgarh

---- Respondent

For the applicant	:	Mr. Mahendra Dubey, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 359 of 2015 registered at P.S. Urga, District Korba (C.G) for the offence punishable under Sections 34(1)(A), 34(2), 59(A) of the Chhattisgarh Excise Act.
2. The prosecution case in brief is that when a raid was conducted 69.120 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 22.12.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, she submits that the concerned SHO has reported that the applicant has no past antecedents.
5. Taking into consideration the totality of the circumstances

and the fact that the quantity of seized liquor in this case is 69.120 bulk litres; offence is triable by the JMFC and the applicant is in jail since 22.12.2015 and further looking to the fact that the applicant has no past antecedents, this Court is inclined to release him on bail. Accordingly, this application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE