

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8097 of 2017

- Maniram Kashyap S/o Late Bhagatram Kashyap Aged About 37 Years R/o Lalbahadur Shastri Ward No. 8, Jagdalpur District Bastar Chhattisgarh

---- Applicant.

Versus

- State Of Chhattisgarh Through The Station House Officer, Excise Circle Jagdalpur District Bastar Chhattisgarh

---- Respondent

Present: Mr. Manoj Mishra, counsel for the applicant.
 Mr. Ratan Pusty, Panel Lawyer for the State.

SB: Hon'ble Shri Justice Ram Prasanna Sharma

Order on Board

23-12-2017

1. This is an application filed under Section 439 of the Cod of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.125 of 2017 registered at Police Station Excise Circle Jagdalpur, District Bastar (CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 5 bulk liters of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no seizure was made in person from him. He further submits that the applicant is in jail since 10-11-2017 and the alleged seizure having been made, no further investigation is necessary, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seizure liquor in this case is 5 bulk liters, offence is triable

by the Judicial Magistrate First Class and the applicant is in jail since 10-11-2017, I am inclined to release the applicant on bail.

6. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail in his furnishing 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 also also appear before the said Court as and when directed by the said Court.

Certified copy today as per rules.

Sd/-

(Ram Prasanna Sharma)

Winter Holiday Judge

Raju