

(2021) 05 CHH CK 0121

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 2288 Of 2021

Tameshwar Singh Rajput

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 17-05-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Chhattisgarh Excise Act, 1915 — Section 34(2)

Citation : (2021) 05 CHH CK 0121

Hon'ble Judges : Narendra Kumar Vyas, J

Bench : Single Bench

Advocate : Avinash Chand Sahu, Ravish Verma

Final Decision : Disposed Of

Judgement

Narendra Kumar Vyas, J

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 13.02.2021 in connection with Crime No.

26/2021 registered at Police Station Gunderdehi, District Balod, Chhattisgarh for the offence punishable under Section 34 (2) of the Chhattisgarh

Excise Act, 1915.

2. Allegation against the applicant is that he was found in illegal possession of 5.400 bulk liters of country liquor.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 13.02.2021 and

conclusion of trial is likely to take some time. Therefore, he may be granted bail.

4. On the other hand, learned counsel for the State opposing the bail application would submit that on the last date of hearing he was directed to

ascertain the criminal antecedents against the present applicant. After verification he submits that apart from the present case four criminal cases of the similar nature have been registered against him.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor and the detention period of the applicant and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs. 25,000/- with one surety to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.