
(2013) 07 CHH CK 0036
In the Chhattisgarh High Court
Case No : M.Cr.C. No. 2437 of 2013

Vinod Parihar

APPELLANT

Vs

State of C.G.

RESPONDENT

Date of Decision : 01-07-2013

Acts Referred:

Madhya Pradesh Excise Act, 1915 — Section 34(2)

Citation : (2013) 3 CGLJ 498

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Samir Singh, for the Appellant; Bhaskar Pyasi, Panel Lawyer, for the Respondent

Final Decision : Allowed

Judgement

Prashant Kumar Mishra, J.—The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 28/2013 registered in Police Station: New Rajendra Nagar, District Raipur for offence punishable u/s 34(2) of the Excise Act for illegally possessing 5.760 bulk liters of illicit liquor. Although learned State counsel would inform that there are as many as 25 previous cases registered against the applicant including one internment proceeding, however, considering that the applicant is in jail since 28.3.2013 i.e. for more than 3 months and ordinarily sentence of imprisonment from 6 months to 1 year is imposed in this kind of cases under the Excise Act, 1915, this Court is inclined to release the applicant on bail.

2. 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 reference to the Bench.