

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6219 of 2015

1. Sakil @ Billu Khan, S/o Zohar Khan Aged About 23 Years, R/o Ward No. 13 Near Idgah, Kuran, Police Station - Dharsinva, Distt. - Raipur Chhattisgarh
2. Gajanand S/o Teku Guruvekar Aged About 32 Years R/o Ward No. 7, Kuran, Police Station - Dharsinva, Distt. Raipur Chhattisgarh

---- Petitioners

Versus

- The State Of Chhattisgarh Through S. H. O. Police Station Dharsinva, Raipur Chhattisgarh

--- Respondent

For the applicant	:	Mr. Vikram Singh, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 307 of 2015 registered at P.S. Dharsiva, Raipur (C.G) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 11.700 bulk litres of illicit liquor was seized from the possession of the applicants.
3. Learned counsel for the applicant submits that the applicants are in jail since 27.09.2015 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 applicants have no criminal

antecedents.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 11.700 bulk litres; offence is triable by the JMFC and the applicants are in jail since 27.09.2015 this Court is inclined to release them on bail. Accordingly, this application is allowed.
6. The applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court . They are also directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao