

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6152 of 2015**

1. Amit Kumar, S/o Mahesh Kumar Ghasiya, Aged About 28 Years, Occupation - Labor, R/o Sweeper Colony Mahasamund, Thana and Tahsil Mahasamund, Civil And Rev. Distt. Mahasamund Chhattisgarh.
2. Kaliya Shendre, S/o Dalsay Sendra, Aged About 40 Years, Occupation - Labor, R/o Sweeper Colony Mahasamund, Thana and Tahsil Mahasamund, Civil And Rev. Distt. Mahasamund Chhattisgarh.

**---- Petitioners**

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Mahasamund, Distt. Mahasamund Chhattisgarh.

**---- Respondent**

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| For the applicants | : | Mr. Sumit Shrivastava, Advocate |
| For the Respondent | : | Mr. Anant Bajpai, Panel Lawyer  |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**18.11.2015**

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.417/2015 registered at P.S. Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Sections 34(2) of the Excise Act.
2. The prosecution alleges that on 15.09.2015 when the raid/inspection was conducted by the police of P.S. Mahasamund, 7.200 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 25.09.2015 and the charge sheet has been filed.
4. Per contra, learned State Counsel opposes the bail

application. However, he submits that the SHO concerned has reported that the applicant has 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 7.200 bulk litres; offence is triable by the JMFC, the charge sheet has been filed and the applicants are in jail since 25.09.2015, 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 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**