

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6339 of 2015

1. Tejram, S/o Sajan Singh, Aged About 26 Years, R/o Village Labharakala Thana - Bhimkhoj District - Mahasamund (Chhattisgarh)
2. Smt. Meera Bai, W/o Late Mehataru Ram, Aged About 50 Years, R/o Village Dhansuli, Police Station - Bhimkhoj, At Present Address Village Labharakala Thana Bhimkhoj, District - Mahasamund (Chhattisgarh)

--- Petitioners

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station Bhimkhoj, District - Mahasamund (Chhattisgarh)

--- Respondent

For the applicant	:	Mr. Vikas Pradhan, Advocate
For the Respondent	:	Ms. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.11.2015

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. 178 of 2015 registered at P.S. Bhimkhoj, Distt. Mahasamund (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 34.380 bulk litres of illicit liquor was seized from the possession of the applicants.
3. Learned counsel for the applicants submits that the applicants are in jail since 24.10.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he 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 34.380 bulk litres; offence is triable by the JMFC and the applicants are in jail since 24.10.2015 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 further directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**