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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2921 of 2015**

1. Ramesh Kumar Kurre, S/o Shri Banshi Kurre, aged about 37 years, R/o Gram – Gordi, PS – Bhatapara (Gramin) District – Baloda-Bazar-Bhatapara (C.G.)
2. Sanju Lehre, S/o Shri Bhulauram Lehre, aged about 32 years, R/o Gram – Gordi, PS – Bhatapara (Gramin) District – Baloda-Bazar-Bhatapara (C.G.)

---- Applicants**Versus**

1. State Of Chhattisgarh Through: Station House Officer, Bhatapara (Gramin), District – Baloda-Bazar-Bhatapara (C.G.)

---- Respondent

For Applicants	:	Mr. Sandeep Singh, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/06/2015**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 07.06.2015 in connection with crime No. 136 of 2015 registered at Police Station Bhatapara (Gramin), District – Baloda Bazar-Bhatapara, for the offence punishable under Section 34 (2) of the CG Excise Act.
2. The case of the prosecution, in brief, is that the applicants were found in possession of 64.00 bulk litres of country made liquor without any authority of law.
3. Learned counsel appearing for the applicants would submit that present applicants have been falsely implicated in the case, nothing has been seized from the possession of the applicants. He would

further submit that the applicants are in jail since 07.06.2015, charge-sheet has been filed, therefore, they may be released on bail.

4. On the other hand, learned counsel appearing for the State opposing the bail application would submit that the aforesaid liquor was seized from the present applicants, therefore, they are not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, considering the huge quantity of the liquor, and in view of the provisions of Section 59 -A (ii) of the Act, I am not inclined to grant bail to the applicants.
7. Accordingly, the instant M.Cr.C. is liable to be and is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE