

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5209 of 2015**

1. Mehattar Satnami, S/o Nanki Konda, aged about 50 years.
2. Sukandram Sahu, S/o Heeralal Sahu, aged about 47 years,
Both Resident of Gram-Dharashiv, Police Station –
Bilaigarh, District-Balodabazar-Bhatapara (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through: Excise Circle Sarshiva,
District-Balodabazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Rahul Sharma, Advocate.
For Respondent/State: Mr. Varun Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****01/10/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 104/2015 registered at Police Station Excise Circle Sarshiva (C.G.) for the offences punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.

(2) Case of the prosecution, in brief, is that 67.50 bulk liters of illicit liquor was seized from the possession of the present

applicants and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have falsely been implicated in the crime in question as no liquor has been seized from their possession. He would further submit that applicants are in jail since 03.09.2015 and the substantial investigation has already been made and, therefore, the applicants may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to huge quantity of liquor; I am not inclined to release the applicants on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-