

HIGH COURT OF CHHATTISGARH, BILASPUR**Miscellaneous Criminal Case No.2569 of 2016**

Santosh Verma @ Jetha Verma, S/o Bholaram Verma, aged about 26 years,
R/o Contractor Colony, Near Seshnag Mandir, Supela, Bhilai, Tahsil and
District Durg, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through the Station House Officer, Police Station
Supela, Bhilai, Tahsil and District Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pawan Kesharwani, Advocate
For State/Respondent	:	Shri Neeraj Jain, Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

6/6/2016

1. This is an application filed under Section 439 Cr.P.C. for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.237 of 2016 registered at Police Station Supela, Bhilai, District Durg (Chhattisgarh) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 17.280 bulk litres of illicit country-made liquor was seized by the police from the present Applicant.
3. Learned Counsel for the Applicant submits that it is a case where two of the accused persons, i.e., the present Applicant and the other co-accused Ashok Sahu were found to be illegally transporting 17.280 bulk litres of country-made liquor. The co-accused has already been granted bail in M.Cr.C. No.2163 of 2016 on 26.4.2016. He submits that the case of the present Applicant is also identical. He further submits that the Applicant is in jail since 31.3.2016. He has no criminal background and

has been falsely implicated in the case and, therefore, he may be released on bail.

4. On the other hand, Learned Counsel for the State, on verifying the record, does not dispute the fact though he opposes the bail application.

5. I have heard Learned Counsel appearing for the parties.

6. Without commenting on merits, considering the totality of the facts and circumstances of the case, quantity of the liquor seized and also considering the fact that the Applicant is in jail since 31.3.2016 and that the present is the first offence committed by the Applicant, this Court is of the opinion that the present is a fit case in which the Applicant should be enlarged on regular bail.

7. Accordingly, the bail application is allowed.

8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- (Twenty Thousand) with two sureties in the like sum to the satisfaction of the concerned Court for his appearance before the said concerned Court as and when directed.

9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge