

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2685 of 2016

- Rakesh Kumar Khute, S/o. Mohan Kumar Khute, aged about 25 years, R/o. Village Risda, Police Station and Tahsil Baloda Bazar, Civil and Revenue District Baloda Bazar/Bhatapara (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Excise Sub Inspector Range (Circle) Baloda Bazar, in the Revenue and Civil district Baloda Bazar/Bhatapara (CG)

---- Respondent

For Applicant : Shri JR Verma, Advocate.

For Respondent : Shri Vivek Sharma, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

06.06.2016

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.18/2016 registered at Excise Police Station Excise Circile, Baloda Bazar, Revenue and Civil District Baloda Bazar/Bhatapara (CG) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 13.21 bulk liters of illicit country made liquor was seized by the police from the present applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 15.4.2016 He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and circumstances of the case, quantity of liquor and also considering the fact that the applicant is in detention since 15.4.2016 this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
V. JUDGE