

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2600 of 2016

1. Rukhman Dewangan & Anr. S/o Tukaram Dewangan Aged About 29 Years R/o Village - Somajhitiya, Tahsil & Police Station Dongargaon, District - Rajnandgaon Chhattisgarh.
2. Makradhwaj Verma S/o Hukumchand Verma Aged About 25 Years R/o Village Dhodki, Police Chowki-Mohara(Dongargarh), District - Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Incharge, Police Chowki-Mohara, Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Purnendra Khichariya, Advocate.

For Non-Applicant: Shri Adhiraj Surana, Deputy 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 applicants, who have been arrested on 20.04.2016 in connection with crime No.159/2016 registered at Police Chowki – Mohara, Police Station – Dongargarh, District – Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 18 bulk liters of illicit liquor was seized by the police from the present applicants.
3. Learned counsel for the applicant submits that the applicants are in detention since 20.04.2016. He further submits that applicants have no criminal background and have been falsely implicated in the case, and

therefore, the applicants 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, small quantity of liquor and also considering the fact that the applicants are in detention since 20.04.2016, this Court is of the opinion that present is the fit case, in which, the applicants 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 applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two sureties each in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.
9. Certified copy as per rules.

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