

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2601 of 2016

1. Sandeep Deep S/o Birbal Deep Aged About 28 Years R/o Ward No. 8, Gadapara, Police Station Gobra Navapara, Rev. And Civil Distt. Raipur Chhattisgarh.
2. Rajendra Tandi S/o Ravi Tandi Aged About 23 Years R/o Ward No. 8, Gadapara, Police Station Gobra Navapara, Revenue and Civil Distt. Raipur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh Through Police Station Gobra, Navapara, District Raipur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Pushpendra Kr. Patel Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.06.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 76 of 2016 registered at P.S. Gobra, Navapara, District Raipur (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 8.460 bulk litres i.e., 47 quarters of country made Masala wine was seized from the possession of the applicants.
3. Learned counsel for the applicants submits that the applicants are in jail since 22.03.2016 and the alleged seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he submits that the concerned SHO

has reported that the applicants have no criminal antecedents.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is said to be 8.460 bulk litres; offence is triable by the JMFC and the applicants are in jail since 22.03.2016, this Court is inclined to release them on bail. Accordingly, this application is allowed.

6. The applicants are directed to be released on bail on each executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE