

HIGH COURT OF CHHATTISGARH, BILASPUR**Miscellaneous Criminal Case No.2693 of 2016**

Dhaniram Patel, S/o Chaitram, aged about 31 years, Caste – Marar,
Resident of Village Boirgaon, Thana Bhimkhoj, Tahsil/District Mahasamund,
Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Bhimkhoj,
District Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Vikash Pradhan, Advocate
For State/Respondent	:	Shri Vivek Sharma, 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.61 of 2016 registered at Police Station Bhimkhoj, District Mahasamund (Chhattisgarh) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 7.2 bulk litres of illicit country-made liquor was seized by the police from the present Applicant.
3. Learned Counsel for the Applicant submits that the present Applicant was found in possession of 7.2 bulk litres of illicit country-made liquor. He further submits that the Applicant is in jail since 22.4.2016. He has no criminal antecedent 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 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 22.4.2016 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