

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2860 of 2016

1. Dushtiram Ratre S/o Shri Kendaram Ratre, aged about 36 years
2. Shuklal Chouhan S/o Shri Kanhaiya Chouhan, aged about 42 years;

Both occupation Labour, R/o Village Aamakoni, Tah. Baramkela, Distt. Raigarh (CG).

Applicants

Versus

State of Chhattisgarh through PS Sariya, District Raigarh (CG).

Respondent

For Applicant : Shri Vineet Pandey, Advocate.

For Respondent : Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

07.06.2016

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 in connection with crime No.65/2016 registered at Police Station Sariya, District Raigarh, for the offence punishable under Section 34(2) and 59(Ka) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 8 bulk liters of illicit liquor was seized by the police from the present applicants.
3. Learned counsel for the applicants submits that the applicants are in detention since 27.04.2016. 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 27.04.2016, 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 namely Dushtiram Ratre and Shuklal Chouhan shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- each with one surety 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

inder