

HIGH COURT OF CHHATTISGARH, BILASPUR**Miscellaneous Criminal Case No.3413 of 2016**

Abhishek Mahobe, aged about 32 years, S/o Late Shri Ashok Mahobe, R/o Village Mudpar, Police Station and Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Police Station Excise Circle Khairagarh, District Rajnandgaon, Chhattisgarh (As per remand form)

---- Respondent

For Applicant	:	Shri Abhishek Sharma, Advocate
For State/Respondent	:	Shri Vivek Sharma, Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

9/6/2016

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.57 of 2016 registered at Police Station Excise Circle Khairagarh, District Rajnandgaon (Chhattisgarh) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 18 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 18 bulk litres of illicit country-made liquor. He further submits that the Applicant is in jail since 27.5.2016. 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 27.5.2016 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 could 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 trial Court and for his appearance before the said Court as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge