

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3465 of 2016

Santosh Tarak S/o late Balaram Tarak, aged about 33 years, R/o Ganaud, Post Ganaud, Police Station Rakhi, District Raipur (CG).

APPLICANT

Versus

State of Chhattisgarh through the excise Station Arang, Raipur.

RESPONDENT

For Applicant	: Shri Ankur Agrawal, Advocate.
For Respondent/State	: Shri Adhiraj Surana, Deputy Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

09.06.2016

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No. 89/2016 registered at Police Station Arang, Distt. Raipur, for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that the applicant was found in possession of 8.82 bulk liters of illicit liquor.
3. Learned counsel for the applicant submits that the applicant is in detention since 12.05.2016. He further submits that the applicant 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 the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and

circumstances of the case, more particularly the applicant was found in possession of small quantity of liquor and also considering the fact that the applicant is in detention since 12.05.2016, this Court is of the opinion that present is the fit case, in which, the applicant 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 applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

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

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