

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3491 of 2016

1. Dinesh Kumar Singh S/o Ramkhilawan Aged About 20 Years R/o Village Dhanibad, Police Station Risiyaf, District Aurangabad, Bihar. Present Residing At Village Chhati, Tahsil Kurud, District Dhamtari, Chhattisgarh.
2. Pankaj Kumar Singh S/o Harku Ram Singh Aged About 38 Years R/o Village Saidup, Police Station Barwadih, District Latehar, Jharkhand. Present Residing At Village Chhati, Tahsil Kurud, District Dhamtari, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Office, Police Station Kurud, District Dhamtari, Chhattisgarh. --- **Respondent**

For the applicants	: Mr. Abhishek Sharma Advocate
For the Respondent	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.07.2016

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. 227/2016 registered at P.S.Kurud District Dhamtari (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, 17.640 bulk litres of illicit liquor was seized from the possession of the applicants.
3. Learned counsel for the applicant submits that the applicants are in jail since 14.05.2016 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 according to concerned SHO, earlier no case u/s 34(2) of the Excise Act

stands registered against the applicant.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 17.640 bulk litres; offence is triable by the JMFC and the applicant is in jail since 14.05.2016 this Court is inclined to release the applicants on bail.
6. Accordingly, this application is allowed and the applicants are directed to be released on bail on each of them 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