

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2618 of 2016

1. Hemulal S/o Ratiram Tandekar Aged About 45 Years Occupation Labor, R/o Village Manpur, Thana Patewa, Tahsil & District Mahasamund, Chhattisgarh.
2. Hetram S/o Bisahu Ram Aged About 37 Years R/o Village Manpur, Thana Patewa, Tahsil & District Mahasamund, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Patewa, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Shri Vikash Pradhan, Advocate.

For Respondent : Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

06.06.2016

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.68/2016 registered at Police Station Patewa, Distt. Mahasamund for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 10.440 bulk liters of illicit country made liquor was seized by the police from the present applicants.
3. Learned counsel for the applicants submits that the applicants are in detention since 13.4.2016. 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 13.4.2016, 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 shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with two sureties 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