NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3388 of 2016

1. Jay Kumar Daultani & Others S/O Late Thakumal Daultani Aged About 52 Years R/O Shubham Vihar, Om Zone Bilaspur, P.S. Civil Line, Civil & Revenue District Bilaspur, Chhattisgarh.
2. Hitesh Daultani S/O Jay Kumar Daultani Aged About 23 Years R/O Shubham Vihar, Om Zone Bilaspur, P.S. Civil Line, Civil & Revenue District Bilaspur, Chhattisgarh.
3. Dhanraj Talreja S/O Jeevatram Talreja Aged About 48 Years R/O Shubham Vihar, Om Zone Bilaspur, P.S. Civil Line, Civil & Revenue District Bilaspur, Chhattisgarh.

----Applicants

Versus

- State Of Chhattisgarh Through The Police Station Civil Line, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Mr. P.K. Tulsiyan, Advocate

For Respondent/State : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 12-05-2016 in connection with Crime No. 294 of 2016, registered at Police Station Civil Line, District Bilaspur (CG) for the offence punishable under Section 34(2) of the CG Excise Act.

2. As per prosecution case, on 12-05-2016 on information being received, Police, Civil Line, Bilaspur conducted the raid in which the applicants were in possession of 5.250 bulk liters of liquor, one sword, mobiles, charger and Satta Patti and same were seized from them and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated, charge-sheet has been filed in this case, they are in jail since 12-05-2016 and no further investigation is required, therefore, they may be released on bail.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail.

5. I have heard learned counsel for the parties and have also perused the case diary and the documents.

6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicants and considering the fact that charge-sheet has been filed and the applicants are in jail since 12-05-2016, I am inclined to release the applicants on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju